MEMORIAL MEMORANDA.

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DOCUMENT NO. VII.

OF

THE NEW YORK SABBATH COMMITTEE.

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1859.

SUNDAY LIQUOR TRAFFIC.

I.—Memorial as to the Sunday Liquor Traffic.

To the Board of Commissioners of the Metropolitan Police:

GENTLEMEN:—Section 5 of the Metropolitan Police Act provides, that "It shall be the duty of the Board of Police hereby constituted, at all times of the day and night . . . . to preserve the public peace; to prevent crime, and arrest offenders; to protect the rights of persons and property; to guard the public health; . . . . to see that all laws relating to the observance of Sunday, and regarding . . . . gambling and intemperance . . . . are properly enforced; and to obey and enforce all ordinances of Common Councils," &c.

Your memorialists appeal to the accompanying extracts from the Presentments of four several Grand Juries—made under the sanctions of an oath by citizens of the highest respectability—and to the records of your own department, for proof that the Sunday Liquor Business disturbs "the public peace;" causes "crime;" invades "the rights of persons and property;" wastes "the public health;" defies "the laws relating to the observance of Sunday;" shelters and encourages "gambling;" and creates "intemperance:" and all this, and more, in open contempt of the Laws of the State, and of the Ordinances of the Common Council, which your Board are pledged "to obey and enforce."

The burdens of taxation for Courts, Police, Prisons, and Alms-House purposes, have come to be so onerous as to compel the attention of tax-payers to their causes; and your memorialists find that the principal parasite on the industry and wealth of the city exists in the seven thousand seven hundred unlicensed dram-shops, more than five thousand of which pursue their otherwise illegal business

on the Christian Sabbath. Now, were the evil merely negative, as in the withholding from the Treasury of half a million dollars a year due for Licenses; or in the failure to collect the fines imposed by law,—amounting at the lowest computation to a million dollars for the misdemeanors committed each Sunday of the year—it might be endured. But, when this traffic throws a large majority of the pauper army—some 40,000 strong—on the support of honest capital and industry [see extract from Presentment, February, 1859]—itself contributing to multiply, but almost nothing to support its recruits; when it crowds our Criminal Courts, monopolizes the business of our Grand Juries, and throngs our prisons with its thousands of pupils or graduates in vice and crime; and when it enervates labor, impoverishes and demoralizes families, engenders juvenile rowdyism and general lawlessness, weakens the moral restraints and invades the sanctities of the Lord's Day, and counteracts the benign influence of philanthropy and religion, your memorialists cannot refrain from invoking, as in their own behalf and in behalf of their fellow-citizens they do respectfully but earnestly demand, PROTECTION AND RELIEF.

The statistics of your Board demonstrate a connection so intimate between Sunday tippling and crime, as, on that ground alone, to require the attention and action of your Department. It appears that while the arrests for the *Tuesdays* of eighteen months preceding December 8, 1858, amounted to but 7,816, the arrests for the corresponding *Sundays* were 9,713,—an absolute excess of one thousand eight hundred and fifty-two above the ordinary average of week days; or an increase of drunkenness and crime on Sundays of *twenty-five per cent.* over the usual enormous proportion of wickedness traceable on all days to dram-drinking.

Even more convincing is the testimony of your last Annual Report, in which you give the arrests on three successive Sundays, "while the law was observed," amounting to 254, compared with those of the same number of Sundays, "when the liquor-dealers learned they could violate the law with impunity," which amounted to 503, to "show conclusively the effects of closing the liquor-shops in lessening the amount of crime and of "breaches of the peace." Thus, on the evidence of this official paper, the partial and temporary execution of the laws restraining the Sunday Liquor Traffic prevented one-half of "the crime and of breaches of the peace"

otherwise to have been looked for, and actually committed when legal restraints were removed. What then might be hoped from the complete and permanent suppression of that traffic? And with such demonstration of the connection of cause and effect, would not your Department be warranted under the common law, as well as by the provisions of your organic Act, which makes it your "*duty* to PREVENT *crime* and arrest offenders," in employing the whole force under your control in suppressing this parent evil, rather than in the hopeless pursuit of its offspring, whose "name is Legion?" Or, to use the language of a recent Grand Jury, have you not authority to extirpate "the roots of this tree of evil, so that it shall neither yield bud, leaf, flower, nor fruit, instead of using ineffectual efforts to crush the fruit after it has ripened?" Here, as elsewhere, would not "an ounce of prevention be better than a pound of cure?"

But your Department is not left to the necessity of resorting to its general police authority for the power to abate the evil of which we complain. While existing laws may be susceptible of improvement, they are numerous and stringent enough, properly enforced, to secure the desired end. Besides the Metropolitan Police Act, under which 26,000 complaints have already been made by your prompting—some of which may yet be prosecuted to conviction—the 7,702 unlicensed venders, or either of them, may be arrested under the statute of 1857 for the *misdemeanor of selling on Sunday as on any other day;* while *licensed* dealers come under the Sunday provisions of that statute. Then, the Corporation Ordinance of 1855 prohibits all Sunday liquor sales as misdemeanors, punishable by fine or imprisonment, and complaints may be made before any magistrate. Surely there is law enough, and we believe public sentiment, so long outraged, will sustain the enforcement of it; and will demand the coöperation of the magistracy, which may be expected to be cordially rendered, in freeing the city from one principal cause of excessive taxation, pauperism and crime.

But inasmuch as there may be among the thousands of dram-shop and beer-house keepers—especially among the foreigners, who embrace nearly the whole of the Sunday dealers—some who are still ignorant of the unlawful nature of their business, your memorialists would suggest the expediency of printing and circulating

in every dram-shop the laws and ordinances affecting the Sunday liquor traffic: *accompanied by a distinct notice that, from and after a fixed date, the whole power of the Police Department will be persistently employed in securing obedience to their provisions, and in restoring the ascendancy of law and order.*

In the judgment of your memorialists, a course like this is due to the dignity and authority of your own Department; to the community whose lives and property are entrusted to your guardianship; to that portion of the foreign immigrant population who lack respect for the laws and institutions which give them shelter; to the victims of poverty and crime whose moral natures need to be nerved by sacred Sabbath influences against the temptations of the week; to the families whose daily bread is taken from their mouths to become money for the Sunday publican, and poison for husbands and fathers; to Christian citizens whose quiet is invaded and whose moral sense is shocked by the orgies of the Sunday dram-shop and theatrical saloon; and to morality and religion, which can no more coëxist with a profaned and dissipated Sabbath than can our free institutions,—here and everywhere depending for their prosperity and perpetuity on the popular recognition of the principles of the Decalogue and the lessons of the New Testament.

It only remains for your memorialists severally, and in behalf of all good citizens, to assure your Board of their cordial and unwavering support of whatever wise and efficient measures may be adopted for the suppression of the Sunday Liquor Business.

P. Perit	L. Lorut	John Hone
Benj. L. Swan	Oliver Slate, Jr.	James S. Aspinwall
Thomas H. Faile	I. V. Onativia	J. P. Giraud Foster
C. R. Robert, Jr.	Drake Mills	Wm. H. Aspinwall
Wm. Whitlock, Jr.	P. R. Pyne	Sam'l W. Comstock
Wm. L. Jenkins	Simon De Vissa	Peter V. King
R. T. Woodward	E. Ponvert	N. W. Chater
Robt. C. Goodhue	G. W. Gray	Henry Chauncey
John Slade	J. Whitehead	Fred. G. Foster
A. B. Neilson	P. V. Hoffman	H.y Chauncey, Jr.
Stewart Brown	Benj. H. Field	B. W. Weston
James Brown	John Alstyne	Horace Gray, Jr.
James M. Brown	A. M. Tredwell	A. Foster
Fred. De Peyster	Theodore Dehon	Geo. Griswold
Roswell Sprague	Edward Penfold	Geo. Griswold, Jr.
Wm. H. Macy	James Thomson	Corn's Grinnell

Chas. H. Marshall	John J. Cisco	James Lenox
Chas. Lamson	Thomas Denny	G. B. Crane
L. B. Wyman	Wm. H. Neilson	H. P. Howell
David Ogden	R. J. Thorne	Thomas Kehoe
Mortimer L. Fowler	A. R. Walsh	Warren Carter
Geo. T. Elliot	Aug's Belknap	W. E. Sibell
Arch'd Russell	Edward Prime	Zebedee Ring
John J. Morris	Wm. Curtis Noyes	Peter Balen
Jacob Story	Lora Nash	Homer Morgan
Henry Kelly	John A. Ubsdell	John G. Nelson
Oliver H. Lee	John H. Redfield	H. T. Dwight
Nath'l Currier	Moses A. Hoppock	L. P. Stone
Horace Holden	John C. Tucker	Jas. Humphrey
R. B. Minturn	Horace Webster	E. White
J. P. Fellows, Jr.	Daniel Parish	Chas. B. Hatch
Geo. D. Phelps	H'y G. Marquand	Samuel Hotaling
Norman White	Jacob Le Roy	R. C. McCormick
R. M. Hartley	Winth'p S. Gilman	E. L. Beadle
F. Bronson	Josiah Lane	J. K. Johnson
Wm. H. Smith	James D. Oliver	O. E. Wood
D. H. Arnold	Chas. P. Kirkland	Harmon Kingsbury
Jacob Brouwer	Wm. A. Booth	Robert Carter
Thos. H. Chambers	Bernard Logan	S. H. St. John
R. H. McCurdy	S. H. Thayer	Wm. Alex. Smith
J. P. Cronkhite	W. S. Clark	Sam'l S. Sands
Thos. W. Clerke	James H. Towle	John Ward
Wilson G. Hunt	James E. Weir	John Warren
Lucius Hopkins	B. H. Stryker	Jas. W. Underhill
G. T. Cobb	A. C. Stryker	J. H. Gourlie
George Opdyke	Henry Fisher	T. W. Thorne
L. B. Woodruff	Caleb T. Rowe	M. Tompkins, Jr.
Edw'ds Pierrepont	Geo. Andrews	H. T. Morgan
Joseph Hoxie	Wm. B. Bodge	John Miller
Thos. L. Chester	Wm. H. Beebe	Frederic Bull
H. M. Forrester	E. I. Blake	H. Meigs, Jr.
J. B. Nelson, M. D.	R. N. Havens	Sam'l Coulter
James Graydon	P. Edw'd Vermilye	Joseph T. Sanger
John M. Bruce, Jr.	A. Merwin	L. C. Clark
Roe Lockwood	J. W. Brinckerhoff	J. B. Trevor, Jr.
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James Low	Jos. W. Patterson	R. L. Cutting
Geo. Carpenter	Seth G. Babcock	Geo. T. Hope
Daniel Lord	W. F. Van Wagenen	Wm. H. Le Roy
W. R. Vermilye	Peter Richards	Le Grand Lockwood
W. M. Vermilye	James L. Todd	Thos. Morgan
Jasper Corning	James W. Newton	J. M. Doe
W. S. Bishop	Chas. E. Converse	Gus. P. A. Sabine, M. D.

Matthew Maury
Rutson Maury
John D. Clute
William M. Dart
James Dart
Norman Dart
W. P. Comstock
W. B. Griswold
F. Thompson
Miles J. Jenkins
Elbridge T. Gerry
William Tracy
John M. Barbour
Fred. S. Tallmadge
Eastburn Benjamin
David W. Price
J. Campion
Ed. D. Barnes
John J. Johnston
John S. Neston
William Nixon
George T. Jackson
Robt. B. Roosevelt
Theo. Roosevelt
Isaac Hicks
J. A. Roosevelt
J. T. Dean
H. L. Pierson
Sam'l Hopkins
Hy. L. Pierson, Jr.
James B. Taylor
D. L. Winchester
Leonard Warner
Henry B. Hyde
Robert Bliss
Wm. R. Moore
Wm. Hall
George Dixon
John S. Seal
E. H. Garbutt
Wm. H. Black
Sam'l E. W. Barry
W. Hart Smith
Charles Gould
Joseph H. Choate
Wm. H. C. Barnes
F. B. Betts

M. Van Schaick
Sam'l A. Church
Edmund C. Fisher
F. P. Woodcock
Frederick F. Betts
W. C. Williams
A. G. Ranney
George G. Spencer
Danford Knowlton
Ezra Wheeler
John Thompson
D. V. H. Bertholf
V. L. Buxton
R. H. Barnes
J. Jay Greenough
Duncan McMartin
Wm. A. Arnold
James Buell
John H. Ormsbee
Simon V. Vedder
Ira Bliss
A. Decker
W. W. Phillips
J. X. McLanahan
A. B. Belknap
Thos. C. Chalmers
Thos. S. Shepard
Edwin Hyde
N. Sullivan
P. F. Randolph
Wm. A. Budd
Thos. Slocomb
Aug. W. Sexton
M. G. Baldwin
Courtlandt Palmer
Chas. Tracy
Walter Edwards
Jno. E. Parsons
Leonard Perkins
Jas. M. Halsted
John A. Stewart
F. W. Downer
W. H. Munn
A. T. Anderson
Z. Stiles Ely
C. B. Corlies
E. M. Crawford

Peter Cooper
S. A. Mower
Tredwell Ketcham
Francis L. Johnson
R. E. Edwards
B. H. Bixby
David Wetmore
Henry Day
Geo. DeForest Lord
Samuel R. Mabbatt
W. Decker
Wm. H. Payne
Thos. Outwater
Allwan H. Vassar
J. H. Williams
Jas. K. Place
Chas. Place
Jas. D. Sparkman
E. B. Place
S. F. Goomridge
Jno. T. Walker
Hugh N. Camp
J. O. Fowler
Wm. H. Kniffin
R. H. Nodine
V. LeComte
Philip Teets
Halsted & Gilman
F. L. Hewitt
G. M. Tracy
H. A. Bostwick
John Ruston
R. H. Lievesley
William Young
Sam'l T. Skidmore
Henry S. Oakley
Jas. C. Harriott
John G. Haviland
Richard Oakley
E. H. Champlin, M. D.
E. M. Kingsley
Elias Loomis
Francis Bacon
O. R. Kingsbury
M. D. C. Crawford
J. P. Newman
D. Terry

E. L. Fancher
Wm. Truslow
Zachary Peck
G. Maniere Tracy
Andrew J. Odell
Thos. McFarlan
D. T. Staniford
Samuel Bangs
Wm. A. Budd
H. J. Baker
Alfred S. Purdy
W. Keeler
Jno. McClintock
John W. Graydon
W. R. Martin
Ralph Mead
Wm. A. Cox
Joseph Graydon
A. R. Wetmore
Noah Worrall
S. Throckmorton
Dan'l L. Ross
A. M. Osborn
T. A. Howe
Thos. Otis Le Roy
E. A. Le Roy, Jr.
Edw'd A. Le Roy
Irad Hawley
John H. Swift
G. W. Burnham
Chas. H. Booth
W. Clapp
E. R. Dibblee
Russel Dart
Lewis B. Henry
Effingham Cock
Chas. Tuttle
Jas. H. Patten
Jas. A. Edgar
Jas. P. Pennell
Wm. Van Allen
J. H. Woolley
E. M. Denman
Daniel Hoffman
Henry A. Lee
Robert J. White
Francis Hall

Wm. F. Havemeyer
James L. Phelps
Walter C. Palmer
J. B. Oakley
James Farrelly
James S. Huggins
R. R. Ward
W. Edwards
Philetus H. Holt
Benjamin Loder
James B. Wilson
Asher Taylor
G. De Forest
John A. Weeks
Francis R. Rives
Edwin O. Carnes
Cyrus W. Field
Daniel Conger
Jos. W. Alsop
John J. Owen
Joseph H. Gray
Edward J. Owen
E. H. Owen
Sam'l Carlile
G. Waters
Jos. Greenleaf
G. W. Thorp
J. M. McLean
James C. Bogert
C. R. Robert
Joseph Stuart
Wm. Forrest
Wm. E. Dodge
D. Willis James
Wm. E. Dodge, Jr.
I. Seymour
William Scott
Mason Thomson
Carlisle Norwood
C. A. Davison
Chas. E. Strong
H. B. Washburn
Henry C. Porter
John Post
R. B. Conklin
Sam'l Smith
Wakeman Burritt

Wm. Tucker
Le Barron Hammond
A. G. Nichols
S. R. Smith
Jas. E. Smith,
H. C. S. Jervis
F. W. Jolly
Alfred Simonson
Reuben Pine
Gilbert F. Henshaw
D. H. Sargent
C. H. Hawkins
Isaac Anderson
Moses Baldwin
Alexander Miller
C. P. Woodworth
Wm. Barker
T. D. Thompson
B. Cauley
Henry G. Miller
John A. Dahn
Jacob Visel
J. B. Arthur
Edwin H. Wade
Edmund Young
Vilroy Wilcox
John Dawson
J. B. Beers
James Furey
Benj. F. White
John Anthony
S. E. Reid
John Torkey
Chas. N. Daily
William Betts
A. W. Bradford
Sheppard Homans
Wm. K. Strong
Richard Patrick
John Wadsworth
F. S. Winston
Robt. Taylor
G. W. Ford
J. A. Cauder
E. D. Nelson
Sam'l M. Janes
James Webb

Moses Taylor
J. E. Hoagland
Freeman Bloodgood
Thomas Lewis
Chas. Roberts
R. Murray, Jr.
W. O. R. Arnold
Alex. M. Ross
Henry J. Howland
Robert I. Lomas
J. F. Van Wickel
James McAllister
A. H. Wemple
G. W. Smith
Sam'l Squire
William Penney
O. Twist Hopper
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David B. Dwire
W. M. Washburn
W. Cunningham
J. B. McDonnell
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Wm. J. Durr
Thos. R. Ackland
Wm. R. Guest
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Henry Knowlton
J. M. Naughton
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Wm. Mook
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Fred. Clinch
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Archibald Bishop
James Reid
James M. Taylor
Thos. G. Barrell
Wm. L. Skidmore
Erastus Goodwin
Joseph Center
Francis A. Curtis
E. Norcross
O. F. A. Brockway
M. Perry

Caleb O. Halsted
Joseph Flynn
C. Wm. Cregier
John E. Quin
Wm. W. Bennet
M. T. Condon
W. W. Knapp
S. R. Packer
Thos. B. Carpenter
Samuel J. Knapp
Daniel R. Young
Daniel S. Hoff
J. L. Snedecor
Elbert Austin
Walter Reid
Wm. A. Baldwin
Abel Gruber
Robert G. Cornell
William H. Taylor
John H. Moore
Alfred Smith
Dan Van Nostrand
W. L. Allen & Co.
W. K. Moore
George Smart
Samuel Crooks
Thomas P. Way
C. Bruno
Seth W. Hale
A. Carter, Jr.,
Chas. E. Hale
Augustus K. Sloan
M. H. Gallaher
David Dodd
H. W. Wheeler
J. M. Morrison
Wm. H. Hoople
Jas. F. De Peyster
Wm. Muir
Chas. W. Sawyer
H. M. Lamport
John W. Baker
John M. Vanderlip
Geo. H. Christian
Cyrus Peck
J. F. Stoddard
James Anderson

T. C. Doremus
John K. Myers
Edwin Hoyt
James Warren
Silas Brown
Geo. S. Stephenson
A. R. Lawrence
I. N. Post
O. D. F. Grant
Robert Forrest
Howard Potter
John Crosby Brown
Clarence S. Brown
Abbott Brown
John E. Johnson
Wm. S. Doughty
James Stuart Gillan
I. H. Woods
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Alex. W. Murray
David S. Dodd
John Sandaver
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H. K. White
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D. Fairbank
E. Lawrence
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Edmund Hyalt
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Wm. Douglas

II.—Basis of Memorial—Presentment of Grand Juries.

The Grand Jury of February, 1858, WILSON G. HUNT, *Foreman*, present:

"That a serious and growing evil is the disregard, by certain classes of the public, of the laws designed to preserve the due observance of the Sabbath. * * In some of the most populous sections of the city, on the afternoons and evenings of the Sabbath, theatrical exhibitions, secular concerts, bowling and pistol galleries, juggling shows, dancing-houses, bands of music, tippling-saloons, and all species of lawless entertainments are maintained, in open violation of law, and in disregard of public authorities. To these lawless places are attracted vast numbers of unguarded youth and demoralized maturity of both sexes, and dissipation, quarrelling, and frequent violence are among the consequences. Independent of the annoyance and offence which these disturbances create to the law-observing and Christian portion of the community, the fact that the laws may thus be openly violated, and the constituted authorities fail to secure their due observance, can not but produce the most pernicious effect upon the illdisposed, who participate in these lawless gatherings, as well as those who are encouraged in their evil course by the inefficient administration of the law. We would recommend that the laws for the suppression of these exhibitions be rigidly enforced, and that it be made the special duty of the Police to suppress them by the undeviating execution of the law. It cannot be denied that these unlawful gatherings are among the fruiful causes of engendering in the corrupted youth of our city the fearful tendencies to crime which are daily manifested in our criminal courts."

The Grand Jury of October, 1858, L. R. MORRIS, *Foreman*, say:

"The desecration of the Sabbath by persons frequenting the numerous drinking, dancing, and singing saloons, scattered broadcast over the city, is a subject of constant complaint, and calls for prompt and efficient action on the part of the authorities for its suppression. The Grand Jury is in possession of facts showing that about twenty thousand complaints for the violation of the Sunday Liquor Law have been reported by the police, not one of which has been prosecuted. It is the opinion of the Grand Jury that every law respecting the desecration of the Sabbath should be rigidly enforced, at least so far as is necessary to prevent an interference with the peace of those who prefer to devote the day to higher and loftier purposes."

The Grand Jury of Jan. 21, 1859, THEO. MARTINE, *Foreman*, say:

"The Grand Jury cannot close their labors without presenting to the Court and to the public the important fact, that a very large portion of the business which has occupied its attention has arisen from the sale and use of intoxicating liquors.

"*Nearly all the cases for murder* and assault and battery which have been investigated—and the number has been great—*have been found to spring from these causes;* and the grand inquest can see no reason to expect any diminution of crimes so long as the present almost entire absence or inefficiency of the laws for the suppression of the sale of intoxicating liquors continues.

"The Grand Jury is well aware that this subject has often been presented to the consideration of the Court, and suggests no remedy. This it leaves to the wisdom of our Legislature. But so long as the evil exists to the alarming degree that it does at present, so long will it demand the denunciation of all good citizens, and their best efforts to abate it.

"It is well known that the number of places for the sale of such liquors has greatly multiplied within the last few years; and *this may account in the same measure for the great increase of the amount of crime, pauperism and taxation of our city*, and the increased business of our criminal courts."

The Grand Jury of February, 1859, CHARLES AUGUSTUS DAVIS, *Foreman*, make this impressive presentment:

"The pauper circle of this city and county now reach the alarming number of nearly *forty thousand;* this number is divided into two classes, *indoor* and *outdoor poor*. The indoor, about one quarter of the whole, or over eight thousand persons, and the outdoor the balance, or say over thirty thousand. Thus about forty thousand paupers (or pensioners upon public bounty,) are assigned to the care of the Governors of the Alms-house department, (and kindred charities,) at a cost to the tax-payers of a sum nearly the *entire tax levy* of only twenty years ago. These are facts of a very alarming character, especially so when we find, in the face of all this benevolence the evil is rapidly on the increase, and gives unmistakable evidence that just as far as public charity inclines to go, just so far will pauperism follow it up, if not overrun it. Large and beautiful as our public charities now are, our private charities fall little short of it. * * *

"In the investigation of cases in a long catalogue of crime presented to us at the beginning of the present term, we find, with very few exceptions, *the crimes charged have their origin in resorts and dens of iniquity, where intoxicating liquors are sold and drank;* and bad as the best of them may be, the lowest and worst are kept by foreigners, or people of foreign origin, and all this in defiance of existing laws.

"If it were practicable to transfer all such cases to another tribunal, the duties of the Grand Jury could have *ended in as many hours as it has required days* to finish or diminish the calendar. It is fearful, to the tax-payer, at least, to see how much he is called to contribute of his industry to pay the Cost of *Courts*, *Police* and *Prisons*, besides the *Alms-house*, which eventually becomes the recipient of the victims, if they escape the prison or the gallows."

[NOTE.—The previous statements as to the extent of pauperism were based on the Alms-house Report of '57. That for '58, just issued, shows the *increase of thirty-seven thousand* out-door poor within the year. The superintendent says: "From the accompanying statement and statistics for the year ending December 31, 1858, it will appear that 7,625 adults and 12,527 children have been relieved by donations in money, and 37,834 adults and 52,836 children with fuel, *showing an increase of* 37,011 *persons relieved, and an increase of expenditure of* $29,826 78 *over the preceding year.*"]

Extract from RECORDER BARNARD'S *Charge*, Dec. 10, 1858.

"Under the Liquor Law, 20,000 or more civil complaints had been filed, but there had been no indictments under the law, in consequence of the differences of opinion of various judges as to its constitutionality. But *this question had recently been settled in the Court of Appeals, in favor of its constitutionality*, and if any cases of its violation were brought before them, it would be their duty to find indictments, and help to check that monstrous evil, the indiscriminate sale of spirits by day and night, in all parts of the city. The Liquor Law also provided penalties for the adulteration of liquors, and *it would be safe to say that at least nine tenths of the liquors sold in New York were adulterated with the most deleterious poisons.*"

ALMS-HOUSE STATISTICS OF RUM AND CRIME.

CITY PRISON.

J. C. Whitmore, Acting Warden of the City Prison, presents the following interesting table among others:

Nativity.	Males.	Females.	Total.
Number received who were Natives,	5,983	2,785	8,768
" " " Foreigners,	15,114	11,290	26,404
Total,	21,097	14,075	35,172

Thus, of the 35,172 persons arrested for crime and disorder in 1858, 26,404 were foreigners, and *thirty thousand two hundred* were "INTEMPERATE," as follows:

HABITS OF LIFE.

Number received who were temperate, . . .	3,521	1,451	4,971
" " " intemperate, . . .	17,576	12,624	30,200
Total, ...	21,097	14,075	35,172

BLACKWELL'S ISLAND HOSPITAL.

The habits of patients admitted during 1858 are in the following proportions: Temperate, 15 1-10 per cent.; moderate drinkers, 23 4-10 per cent.; intemperate, 39 8-10 per cent.; habitual drunkards, 21 6-10 per cent.; unascertained, 1-10 per cent.; total, 100. *Eighty-five of every one hundred persons confess the use of intoxicating drinks in a greater or less degree. Sixty-one in every one hundred admit that they are intemperate drinkers or habitual drunkards.*

III—Laws and Ordinances affecting the Sunday Liquor Traffic.

1. *Laws prohibiting all traffic, gaming and theatrical exhibitions.*

§ 58. [Sec. 64.] No person shall wilfully disturb, interrupt, or disquiet any assemblage of people met for religious worship, by profane discourse, by rude and indecent behavior, or by making a noise, either within the place of worship, *or so near it* as to disturb the order and solemnity of the meeting;* nor shall any person within two miles of the place where any religious society shall be actually assembled for religious worship, expose to sale or gift any ardent or distilled liquors, or keep open any huckster-shop in any other place, inn, store or grocery, than such as have been duly licensed, and in which such person shall have usually resided or carried on business; nor shall any person, within the distance aforesaid, exhibit any shows or plays, unless the same shall have been duly licensed by the proper authority;† nor shall any person, within the distance aforesaid, promote, aid, or be engaged in any racing of any animals, or in any gaming of any description.‡

§ 59. [Sec. 65.] Whoever shall violate either of the provisions of the foregoing section may be convicted summarily before any justice of the peace of the county, or any mayor, recorder, alderman, or other magistrate of any city where the offense shall be committed; and on such conviction, shall forfeit a sum not exceeding twenty-five dollars, for the benefit of the poor of the county.

[In default of payment of fine and costs, by Sec. 68, imprisonment not exceeding 30 days is required.]

§ 66. [Sec. 70.] Prohibits "gaming, frequenting of tippling-houses, or any law-

* Under this, the cries of newsboys become unlawful.

† This part of the section may apply to lager bier theatricals.

‡ This prohibition is applicable to the cut-of-town racing sometimes complained of.

ful exercises or pastimes, on the first day of the week, called Sunday," and prescribes a small fine for each offense.

§ 67. [Sec. 71.] No person shall expose to sale any wares, merchandise, fruit, herbs, goods, or chattels, on Sunday, except meats, milk, and fish, which may be sold at any time before nine of the clock in the morning; and the articles so exposed for sale shall be forfeited to the use of the poor, and may be seized by virtue of a warrant for that purpose, which any justice of the peace of the county, or mayor, recorder, or alderman of the city, is hereby authorized to issue, upon a conviction of the offender. When seized, they shall be sold, on one day's notice being given, and the proceeds shall be paid to the overseers of the poor of the town or city.

2. *Laws prohibiting the sale of liquors without license.*

The Laws of 1857, chapter 628, § 13, provide:

"Whoever shall sell any strong or spirituous liquors or wines in quantities less than five gallons at a time, *without having a license therefor*, granted as herein provided, shall forfeit fifty dollars for each offence.

"§ 14. Whoever shall sell any strong or spirituous liquors or wines to be drank in house or shop," &c., "*without having obtained a license* therefor as an inn, tavern, or hotel-keeper, shall forfeit fifty dollars for each offence."

"§ 16. It shall be the *duty* of every sheriff, under sheriff, deputy sheriff, constable, marshal, policeman, or officer of police, to *arrest* all persons found actually engaged in the commission of any offence in violation of this act, and forthwith to carry such person before any magistrate of the same city or town, to be dealt with according to the provisions of this act; and it shall be the duty of the magistrate" . . . . . "to require a bond . . . . in the penal sum of one hundred dollars . . . or to commit such offender to the county jail," &c. "And it shall be the duty of the magistrate to entertain any complaint of a violation of this act, made by any person under oath, and forthwith to issue a warrant," &c.

[These provisions cover Sunday as well as week days, and they affect the 5,000 Sunday liquor-shops, *none of which are licensed.*]

3. *Law of* 1857, [*Chapter* 628] *prohibiting Sunday sales by licensed dealers.*

§ 21. No inn, tavern, or hotel-keeper, or person licensed to sell liquors, shall sell or give away any intoxicating liquors or wines on Sunday, or upon any day on which a general or special election or town-meeting shall be held, and within one quarter of a mile from the place where such general or special election or town-meeting shall be held in any of the cities, villages, or towns of this state, to any person whatever, as a beverage. In case the election or town-meeting shall not be general throughout the state, the provisions of this section in such case shall only apply to the city, county, village, or towns in which such election or town-meeting shall be held. Whoever shall offend against the provisions of this section, shall be guilty of a misdemeanor, and on conviction shall be imprisoned in the county jail, workhouse, or penitentiary, not more than twenty days.

4. *The Metropolitan Police Act provides:* [*Laws of* '57, *chapter* 569.]

§ 21. *It shall not be lawful for any person to publicly keep or dispose of any intoxicating liquors upon the first day of the week, called Sunday, or upon any day of public election* within the said Metropolitan Police district, under a penalty of fifty dollars for each offense, to be sued for and recovered in the name of the People of the State of New York by the district attorney of the county wherein the offense is committed, *for the benefit of the Police Contingent Fund, hereby authorized;* and *it shall be the duty of the Board of Police to strictly enforce the provisions of this section,* by its proper orders in respect thereto.

5. *The City Ordinance of* 1855 *enacts:*

§ 1. If any person in the city of New York shall sell by retail or deliver in pursuance of any such sale, any wine, ale, lager bier, or other strong or spirituous liquor, or shall consent to allow, or permit any wine, ale, lager bier, or other strong or spirituous liquor by him or her so sold or delivered, to be drank in his or her house, outhouse, garden, or other premises whatsoever, without being licensed according to law,—or, being so licensed, shall sell or deliver, or consent to allow or permit any wine, ale, lager bier, or other strong or spirituous liquor sold or delivered as aforesaid, to be drank as aforesaid on the first day of the week called Sunday, excepting to boarders and lodgers or actual travelers within the provisions of the law, he or she shall, for every such offense, be liable to the pains and penalties hereinafter mentioned.

§§ 2–4. Provide that it shall be the duty of any magistrate to issue a warrant "upon complaint of the violation of any part of the first section," and on proof or confession, "to convict the offender of a misdemeanor, and for each and every such conviction shall fine him or her in a sum not to exceed ten dollars, and in default of payment" may be committed for "a period not exceeding one day for each dollar of fine so imposed," all moneys thus received to be paid to the Almshouse department "toward the support of the poor of said city."

Every Sunday sale of liquor, then, is a violation of at least four laws:—those against all traffic; that against unlicensed liquor-selling; the Metropolitan Police Act of 1857, *and the city Ordinance of* 1855.

IV.—Comments of the Daily Press.

PRESENTATION OF MEMORIAL.

From The Times, *May* 28.

Sunday Liquor Selling and the Police Commissioners.—A double delegation of citizens, American and German, waited on the Police Commissioners yesterday afternoon, to present memorials on the Sunday Liquor Traffic. Messrs. Pelatiah Perit, James Brown, C. O. Halsted, Norman White, Roswell Sprague, A. B. Neilson, James W. Beekman, and other well-known gentlemen, with Messrs. Moller and other Germans, composed the delegation.

Mr. Perit, in presenting the memorial, briefly stated its objects, and expressed the hope that, so far as they came within the scope of the Department, they would be carried out.

Mr. Bowen thought the responsibility for the existing state of things was largely with the magistracy and the prosecuting officers. Numerous complaints had already been made which had not been prosecuted. He was not certain as to the power of the police to arrest offenders against the Sunday Liquor Laws.

Mr. White said the evils of the traffic under consideration were so obvious, and affected so deeply the moral condition of the city, that the press and the public would demand, or they had a right to demand, the execution of the laws. Surely the magistrates would not obstruct their enforcement, with overwhelming proofs that, while they were left in neglect, all law was comparatively powerless. He directed the attention of the Commissioners to the city ordinance of 1855, which makes every Sunday sale of liquor a misdemeanor; to the Excise Law of 1857, which provides a penalty of $50 for each offence, either of selling on any day without a license, or of selling on Sunday if licensed, and makes it the duty of every policeman to *arrest* offenders; to the Metropolitan Police Act, which affixes a fine of $50 to every Sunday sale, and requires the Police Board to execute the laws protecting the Sabbath, and to the Statute prohibiting all traffic on that day, under a penalty of confiscation of the goods exposed for sale, whether liquors or dry goods.

When distinguished strangers visit our city, we are proud to exhibit our humane and reformatory institutions, and point to the ample provisions of our Almshouse, and kindred establishments, as proofs of benevolent forethought. Would it not be a prouder monument could we, by abating the causes of pauperism, and the temptations to crime, show that Almshouse accommodations and municipal jails were comparatively needless? The memorialists are the more encouraged to seek protection and relief from the evils of the Sunday liquor traffic, on account of the readiness heretofore manifested by this Department to comply with all reasonable requests of citizens to suppress crime and abate public nuisances.

There is little room to doubt what the action of the Commissioners will be when the committee to whom the memorial was referred present their report. The case is as clear as the alternative between anarchy and order. No law has power and no executive department is entitled to respect, so long as a class interest defies both, and depradates without restraint on the property and moral interests of the city.

From The Courier and Enquirer, *May* 31.

The Sunday Liquor Traffic in New York.—We are glad that so strong and earnest a movement has been made to stimulate the Metropolitan Police Commissioners to enforce the laws against the Sunday Liquor Traffic. Undoubtedly that Board have found some discouragement in the culpable remissness of the prosecuting attorney and the magistracy, to prosecute and convict some of the offenders who

have been arrested; but we fancy they will hardly themselves pretend that they have fully and faithfully performed the duties imposed upon them, in the premises, by the Metropolitan Police Act. Should the Board once show themselves resolutely determined to carry out their powers to the uttermost in this public service, and not allow themselves to be diverted from the path of duty by official delinquency elsewhere, they would soon draw a force of public sentiment to their side that would peremptorily impose action upon the other branches of public administration. What is most of all needed is an unflinching, untiring, thorough exercise by some one of the Departments of the public service, of every means and appliance afforded by the law. Let this determination once be put beyond question, and the other public agents, whose coöperation may be necessary, whatever their disposition, will find it impossible, for any length of time, either to thwart or hold back. Especially will this prove true when an authority, provided with such powers and resources as the Police Board, assumes such a stand.

There is not an honest, intelligent policeman in this city who is not ready to declare that the Sunday Liquor traffic is an unmitigated curse. It occasions nearly, if not quite, as much drunkenness as upon all the other days of the week combined, and to tens of thousands it makes what ought to be a day of rest a saturnalia, productive of misery, vice and crime. It bears with special injury upon the poorer classes, for it exposes them to peculiar temptation on their only day of leisure, fleeces from multitudes of them their hard earnings, destroys their physical constitution, their character, and their self-respect, and sends hundreds annually to the prison and the alms-house. The police records of every city where the Sunday Liquor Traffic is allowed are sure to show a very much larger number of commitments on that day than on any other in the week. The suppression of this traffic within the last few years in many of the English cities has had an immense effect in reducing the number of crimes and misdemeanors. There cannot be the slightest doubt that the experiment would result with equal advantage in this city were it once faithfully tried.

Those men whose souls are absorbed in a single idea, will, we suppose, look with little favor upon this movement. If subterranean rum-hells are to be allowed to pour forth their drugged and poisonous fire for six days in a week, they will see but little gain in closing up the sluices upon the seventh. Many zealous friends of temperance, we have little doubt, will regard time spent in lopping off the branches of the Upas tree of Intemperance as worse than useless. It must be rooted up and annihilated. Nothing less will satisfy them, and unless they can do this they will do nothing. Now this, we think, is all wrong. During six days of the week the mass of our population is constantly and unceasingly at work. The inexorable law of necessity impels all who must earn their bread by the sweat of the brow—and there are but few others—to employ themselves better during work days than in drinking and revelling. But the seventh is a day of rest, and for twenty-four hours the iron hand of labor ceases to move. The harrassed operative and the jaded clerk, the industrious mechanic and the care-worn merchant, are all seeking rest and relaxation to fit them for the toil of the coming week. And in what manner is this done? Many go to the temple of God, and others to the green fields of the country; but who, that is familiar with the streets of this city at Sunday midnight, does not know that more are engaged in such licentious and drunken revelry as only dares to show itself in the obscurity of night. Imbecile and drivelling drunkenness reels solitary along the sidewalks, muttering to itself curses and blasphemies —fit prayers to close such a day's worship. Frantic and crazy drunkenness goes about in gangs, raving impiously, and defying alike the laws of God and man. It is sad but true, that the day set apart for the observances of religion is more than all others appropriated to drunken rioting and profligacy.

Within the last three or four years our police system has greatly improved in efficiency, but there has been no corresponding diminution of crime. The last Quarterly report of the Deputy Superintendent in fact showed a most marked increase. To suppress crime, it is not enough to be vigilant in overtaking it; it must be barred and stopped at the outset. The law must always, to a certain extent, be its own helper; and if it would save itself from violation, it must work diligently in all directions. Its office is not merely to punish, but to prevent; prevention is in fact its highest prerogative. It must prevent, by removing facilities and temptations, and opening a clear field for the operation of all moral and

spiritual influences. The liquor traffic, at best, we know, is fraught with a vast amount of social mischief; yet, in the existing state of public opinion, it is an unavoidable evil. But there is no reason in the world why it should be an unregulated evil. It may be restricted and controlled, and stripped of half its power of injury. Our present license system is an utter sham. Nobody pretends to regard it. The vilest wretches can deal out the vilest poison without let or hindrance. This curse has been growing until it has come to be almost beyond endurance. It is high time there should be some mitigation; and the first great practical mitigation must be the faithful enforcement of the laws against selling liquor on Sunday, except in such places as have accommodation for man and beast. This single reform would cut down the number of groggeries in this city a third, if not a half, for most of them now derive their chief profit from the Sunday traffic. We most earnestly trust that the Police Commissioners will respond to enlightened public feeling, and address themselves with persistent energy to this great work. A clamor may be raised by those who care for nothing but their own sordid interests, but all that public spirit which is worth caring for will sustain the effort; and its benefits would soon make themselves so apparent as to silence, even for very shame, its worst enemies.

From The Journal of Commerce, *May* 28.

Sunday Liquor Traffic.—The Sabbath Committee appeared before the Police Board yesterday, and presented a memorial asking for the suppression of the Sunday liquor traffic. Norman White, President of the Committee, and Pelatiah Perit, addressed the Board briefly in behalf of the measure. The memorial was referred to the appropriate committee. It bears the signatures of 540 persons, including many of our most respectable citizens. The material parts of it we subjoin, adding our earnest hope that the Police Board will carry out the views of the memorialists, by all the means in their power. *Sunday tippling*—turning the Sabbath into a day of dissipation and excess—is probably the most summary method ever devised by man or devil to corrupt the public morals, and destroy the bodies and souls of men. The safety of the community demands that an evil so productive of pauperism and crime, and consequently of taxation and misery, shall be done away.

From The Express, *May* 28.

The Sunday Liquor Traffic.—We call especial attention to the memorial against the liquor traffic that was presented to the Police Commissioners, on Friday, by a delegation of prominent citizens. The document is plain, forcible, and unanswerable in its statements, and requires decided action on the part of the Police Board. The whole subject of this miserable traffic has been under consideration by the Sabbath Committee for six months or more, and they have reason to believe that a combined effort of the press, the police and the public, will result in the substantial abatement of the enormous evil.

There is no need of argument to demonstrate the fact that the greater proportion of crime in this city is owing to the liquor traffic in one way and another; and the comparison of the number of arrests on Sundays when the ordinances were partially enforced, and when no effort at all was made to procure an observance of the law, proves that more than one half of the arrests on the Lord's day are rendered necessary by the existence of this immoral business. The memorial calling upon the Police Board,—not to assume any doubtful powers, but simply to enforce the existing laws, which are amply sufficient for the purpose,—is signed by over five hundred of the most respectable and influential gentlemen in the community. Merchants of universal reputation for integrity and wealth, lawyers of renown, physicians and simple gentlemen, side by side, call upon the Commissioners to do their duty. With all our heart we join our voice to theirs, assured that if the Commissioners only make an honest, determined effort, the Sunday liquor traffic can be put down with comparatively little difficulty, and in a very short time.

From The Commercial Advertiser, *May* 28.

The Sunday Liquor Traffic.—A large number of citizens have signed a memorial addressed to the Commissioners of Police, asking that the laws and ordinances

against the Sunday traffic in liquor may be strictly enforced. The memorial was yesterday presented to the Board, and by them referred to the committee on regulations. We hope the gentlemen who presented the memorial will see to it that it does not sleep in the committee of the Police Commission. It is time that the question was settled whether the laws and ordinances directed against this fruitful source of demoralization and crime can or cannot be enforced.

The memorial now before the Commissioners of Police clearly establishes three things: First, that a large proportion of the crime of this city is directly traceable to this Sunday liquor selling. Second, that the traffic is entirely illegal; and, third, that the Police Commissioners are by law responsible for its suppression.

The first point is too notorious to need proof, but the memorialists have deemed it proper to recapitulate the evidence. This is found in the presentments of various grand juries, who uniformly testify that nearly all the cases of murder, of assault and battery, and of similar offences, are to be traced to intemperance, and that such intemperance is largely promoted by the open sale of liquors on the Sabbath. The memorialists also adduce statistics, prepared by the acting warden of the City Prison, confirmatory of these presentments. In truth, the evidence on this point is overwhelming.

Legal prohibitions of the traffic, and of its corollaries, gaming and theatrical exhibitions, on the Sabbath, are abundant, and are all-sufficient, notwithstanding some technical objections that have been made against them, and these laws it is the duty of the Police Commissioners to enforce. The act creating the Commission is itself imperative on this point, as the following section will demonstrate:

"SEC. 1. It shall not be lawful for any person to publicly keep or dispose of any intoxicating liquors upon the first day of the week, called Sunday, or upon any day of publicelection within the said metropolitan police district, under a penalty of fifty dollars for each offence, to be sued for and recovered in the name of the people of the State of New York, by the district attorney of the county wherein the offence is committed for the benefit of the police contingent fund, hereby authorized; and it shall be the duty of the Board of Police to strictly enforce the provisions of this section, by its proper orders in respect thereto."

No words could have more clearly imposed this duty upon the Commissioners of Police. Yet with this direct responsibility reciting upon the Commissioners, what are the facts in relation to the Sunday traffic in liquor? More than five thousand liquor shops are open every Sunday, and the illegal business is openly carried on in them, the consquence of which is a general dmoralization on that day, utterly at variance with good order and Christian civilization. It is true that the police have *laid complaints* against a goodly number of these offenders—a course that has proved utterly ineffectual for the suppression of the offence. But by the Statute law of 1857, it is made the duty of the police to *arrest* such parties, and this part of the duty the Police Commissioners have not discharged. Let them do this, and they will effectually grapple with the evil. That it is their duty is plain; and that consideration should be sufficient. But they would be sustained also by public sentiment, for the community are weary of this monstrous evil, and would rejoice to see it effectually and permanently removed.

And with this must be coupled the suppression of another rapidly growing evil, viz.: Sunday theatres or theatrical exhibitions, which are a scarcely less prolific source of demoralization than Sunday liquor shops. The Police Commissioners have been as culpably negligent respecting these unlawful gatherings in desecration of the Sabbath as they have with respect to the liquor dealers. There is no doubt as to the interpretation to be put upon this law. These Sunday exhibitions are notoriously and indisputably illegal, and should be, and must be, suppressed, if the sacredness of the Sabbath is to be a permanent institution in this city. But so far are they from being even restrained, that their number is increasing, and their character rapidly becoming more vicious and base. Nor can the Sunday liquor traffic be suppressed if these dens of dissipation are not also closed, for the liquor trade is combined with the exhibition. Most earnestly is it to be desired that the Police Commissioners will act upon the prayer of these memorialists, and apply the force at their command to the immediate rectification of these evils.

From THE TRIBUNE, *June* 4.

THE SUNDAY LIQUOR TRAFFIC.—We are glad to see by the memorial of the Sunday

Liquor Traffic which we publish elsewhere, that use and habit have not reconciled all our citizens to the entire and total contempt with which the laws in restriction of the liquor trade have of late been treated. It is well to have the public attention recalled once more to the fact—which well established and patent as it is, seems in danger of being forgotten—that of our annual burden of forty thousand paupers and thirty-five thousand criminals, by far the larger part are imposed upon us through the agency of the seven thousand seven hundred dram-shops which exist in this city, almost the whole of them in direct defiance of law.

It is true that this memorial aims directly only at preventing the illegal sale of liquor on Sundays. But there are very good reasons on behalf of a special effort, limited in the first instance to that day. In the first place, the law as to the Sunday traffic is more strict, precise, comprehensive, available and reiterated. In the second place, the prevailing sentiment of this community as to the sacredness of Sunday will come in aid of the enforcement of these laws. In the third place, of all days in the week, Sunday is the day upon which the illegal sale of liquor is carried to the greatest extent, and is attended by the most injurious consequences.

As to the law, it is not only abundant, but superabundant. There are not less than four distinct enactments by which the Sunday Liquor Traffic is made an offence and is subjected to penalties, one of which, among others, is the forfeiture of all the liquors thus exposed for sale.

As to the support which the enforcement of the law may be expected to derive from the prevailing sentiment in favor of the sacredness of Sunday, there is this notable fact: that of the seven thousand seven hundred unlicensed drinking-houses of this city, a third part, including almost all those kept by citizens, are closed on that day, though on other days of the week they do not scruple to disregard the law; so that one-third of the work is already done to our hands, and that by the keepers of the shops themselves.

On the other days of the week, when not merely a great variety of other places of resort and amusement are open, but when the great mass of our people are absorbed in their labors, the temptation to excessive drinking held out by these shops is far less than on Sunday, which is a day of leisure and relaxation. All reasons, therefore, combine to urge a special effort for the enforcement of the law on that day.

From The Evening Post, *June* 4.

Sunday Liquor Selling.—We refer our readers to the memorial published in another column, addressed by a number of our most prominent citizens, requesting the Board of Police Commissioners to suppress Sunday liquor selling, and other nuisances, which interfere with the quiet enjoyment of religious worship. There is no doubt, in our opinion, either of the desirableness of the measure sought by the memorialists, or of the powers of the Board to employ and enforce them.

From The [*once* Sunday] Dispatch, *June* 4.

☞ The New York Sabbath Committee have given up the chase after the Sunday newsboys and taken up the case of the Liquor Dealers. We have now before us No. 5 of the Tracts being issued under the auspices of the Committee. It is entitled "The Sunday Liquor Traffic," and after giving the extent of the business, proceeds to show the evil accessories of the trade and its lawlessness, wastefulness, consequent pauperism, crime and immorality, and closes by urging upon the Police Commissioners and Courts the necessity of enforcing the Sunday law against the Liquor Dealers. The Committee back this pamphlet by a powerful appeal to the Police Commissioners, signed by about one thousand of our leading citizens, praying that body to exercise the power conferred on them to suppress the Sunday Liquor Traffic. This is the most formidable petition that has ever been got up in this city on the subject, and from what we hear of the agencies which procured the appointment of Capt. Pillsbury as Superintendent of Police, we are led to believe that the whole power of the police is about to be brought to bear against the Sunday Liquor Dealers. It is said that over a million of dollars has been pledged to protect the officers in the enforcement of the law [!!]

From The Sun, *May* 28.

A Memorial as to the Sunday liquor traffic was presented yesterday to the Police Commissioners, stating that there are 7,700 unlicensed dram shops in the city, of which more than 5,000 do business on the Sabbath. The arrests on Tuesdays during eighteen months' time were found to be but 7,816, while the arrests on Sundays were 9,713, being an increase of twenty-five per cent., caused by dram-drinking alone. For three successive Sundays, while the Sunday Liquor Law was enforced, the arrests were 254, and on three following Sundays, when not enforced, the arrests were 503. These facts are urged with great pertinacity and force upon the Police Department, who are urged to enforce the Liquor Laws under the present statutes.

From The Times, *May* 21.

Prevention of Crime.—A thriftless farmer leaves weeds and worms to scatter their seeds and make their nests, until his domain is worthless. A day of timely labor would have exterminated his pests. We have the image of such a farmer before us whenever our attention is called to the mode of dealing with moral vermin in a great city like our own. Instead of nipping crime in the bud, drying up fountains of evil rather than following its streams, staying the causes of iniquity instead of fruitless dealing with effects,—the beginning, middle and end of Police tactics seem to be directed to the arrest of offenders. It is the *boast* of each return from the Police Department that the *arrests* have been more numerous than ever before.

Now, we would remind the Police Department that law, and philosophy, and common sense, alike require the application of its powers in quite another direction. While arrests should follow crime with promptness and certainty, let the ambition of the Department be to abate the known incentives to wrong-doing: to *prevent crime itself*. If one-half of the patrolmen were devoted to this single object, under intelligent direction, and if a corps of Detectives were employed for this specific service, the fruits would be apparent at once. But they must be men of principle—not loungers in dram-shops and haunts of vice.

We would not forestall the action of such a *preventive Police;* but one or two hints, based on the statistics of the Police Department and the Almshouse Reports, may put them on the scent of crime-breeders.

When tracing crime to its causes, they will find 32,200 persons out of 35,172 arrested and committed to the City Prison in 1858—or about ninety per cent.—were "intemperate." Where did they become "intemperate?" At the seventy-two *licensed* liquor-shops? or at the 7,702 unlicensed ones? If at the latter, why not execute the laws against unlicensed dram selling, and thus prevent the crimes that drunkenness causes? If at the former, why not hold them to their legal responsibility!"

If they look a little further, they will find from the statistics of their own department that Sunday liquor-selling adds twenty-five per cent. on that day to the terrible daily average of crime; and that even a temporary enforcement of the numerous laws and ordinances against that traffic resulted in diminishing crime one-half. Why, then, with such data, neglect the energetic application of the powers of the department in suppressing that unjustifiable and most demoralizing traffic?

So of pauperism. If the official statement of the Ten Governors can be relied on, the number of paupers has reached the prodigious proportion of about *one-seventh* part of the population—an increase of 37,011 within the past year. There is some cause for this; what is it? Turn to the Blackwell's Island Hospital Report, and you read, "Eighty-five of every one hundred persons confess the use of intoxicating drinks in a greater or less degree; sixty-one in every hundred admit that they are intemperate drinkers or habitual drunkards." Here then cause and effect again stand connected, and the Police should occupy themselves with the cause. Do the laws authorize this enormous burden on the wealth and industry of the city? Was it by a legitimate traffic that a hundred thousand men, women and children were impoverished and thrown upon public charity? If not, would it not be as well to arrest the traffic as to support its victims?

These are only hints. The subject might have multiplied illustrations. But the principle is incontrovertibly sound that the *prevention* rather than the *punishment* of crime, as it is the great object of Government, should be the first aim of the officers of Law.

From The Tribune, *May* 21.

Are we Freemen?—It is doubtful. Too much liberty has made us slaves—slaves of appetite, and of panderers to appetite. In a word, New York has sold herself to rum. Rum is king and master. Rum makes and breaks our laws. Rum elects our rulers. Rum robs our Treasury. Rum piles up our taxes. Rum fills our prisons and alms-houses. Rum is our ruin.

Official reports inform us that 30,200 out of the 35,172 persons arrested for crime during the last year, were "intemperate!" They tell us that eighty-five per cent. of the sick paupers were more or less intemperate, and that sixty-one per cent. were habitual drunkards. They tell us that the total of the pauper army in this city exceeds 100,000—larger than the force of Sardinia when on a war footing—and that it has increased 37,011 within a single year. Rum's doings again.

Cannot a truce be gained for one day in seven? Must the poor man's rest-day be invaded by temptation to drunkenness and crime? Is there not enough of self-respect and regard for decency left to demand the protection which our laws extend over the citizens' right to Sunday? Should it not suffice that 7,700 dram-shops are allowed to drug the community without license or law six days of the week: and must 5,000 of them continue to break these laws by every Sunday sale of these intoxicants? Why, the fines of a single Sunday for illegal sales of liquor, were they collected, would pay the taxes of the city for a year! The pitiable condition of our city in this behalf is due solely to the apathy of its citizens. A single manly concerted movement of the people would free the city from the power of its tax-master, as speedily and as peacefully as the Italian states, one after another, are casting off their tyrants.

From The Morning Express, *June* 3.

What are the Laws?—With no king but law, not one of a thousand of our citizens know aught of the vast body of statutes affecting popular rights and duties. We have known instances when intelligent men have rushed to Albany to demand legislation upon matters amply provided for in existing laws; and, even public officials have been heard to express doubts as to the constitutionality of enactments long before decided by the Court of Appeals as of unquestionable validity, or to ask for authority to do what the law prescribed their duty and delegated to them the power to do, by specific statutory provision.

Since the agitation of the Sunday liquor traffic question, we have taken occasion to refresh our memory as to the legal matters involved. We find concurrent legislation on the subject for almost half a century. The statute of 1813, confirmed by acts in 1824–7, and in various forms repeated down to 1857, with decisions of courts of highest authority in support of every main principle—all go to settle the point that the sale of intoxicating liquors of whatever sort on Sunday is a misdemeanor, to be restrained by the magistracy.

The laws of most recent enactment are cumulative in their tenor and in their stringency. The city ordinance of 1855—prompted and partially executed by Mayor Wood—imposed a fine not exceeding $10 for Sunday sales, as a misdemeanor. The Law of 1857 prescribes a fine of $50 for every offence, if the vender be licensed, and a like penalty of $50 for every unlicensed sale, irrespective of the punishment to be inflicted for the criminal offence.

Then the Metropolitan Police Act also imposes a fine of $50 for every act of selling on Sunday or any election day, and it enjoins it as "the duty of the Board of Police to strictly enforce the provisions of this section."

Thus, instead of exhuming some obsolete and defunct statute—"your strict old Sunday laws," as the German *Demokrat* phrases it—the memorialists on the Sunday Liquor Traffic simply demand the "protection and relief" afforded by half a dozen living statutes, including that which gave being to the Police Board itself. If *that* is obsolete, so is the Police Department.

We have had a bitter experience of lawlessness, rowdyism, and crime. Year by year it has been plunging the city into deeper disgrace. Shall we not try the experiment of good laws, firmly enforced by an honest magistracy and an efficient police? If we understand the public wants, this is the one desideratum. If we know aught of public sentiment, this is the universal demand.

From Police Report in THE TIMES, *June* 11.

COMMON PLEAS.—THE SUNDAY LIQUOR CASES.

In the Halpin case the jury found a verdict for the State for the amount of the penalty—$50.

The case of Peter Hynes was next called. This defendant is charged with selling liquor on the Sabbath of the 16th of August, 1857.

What appeared peculiar and wholly unexplained in this case was, that four-fifths of all the jurors called were liquor dealers, or had been, or were particular friends of that class of people. How they came to be present on these particular trials, does not clearly appear.

CLOSING OF THE SUNDAY LIQUOR SHOPS.

From the JOURNAL OF COMMERCE, *June* 20.

THE LIQUOR SHOPS YESTERDAY.—The police yesterday made a really determined and successful effort to shut up the liquor shops throughout the city. They have no authority, it is claimed, to close the establishments forcibly and arrest the venders in the act, and therefore confined themselves to notifying the offending parties that they would surely be punished for a violation of the ordinance. The intention of the police authorities in this respect having been publicly announced a few days ago, the liquor-selling fraternity very generally conformed to the law by locking up their bars and literally closing their places of business, front doors, back doors and windows included, as it was understood that the mere technical closing of a half door, and one shutter up, which is allowed to satisfy on election day, would not be good enough for Sunday. The excellent effects of the movement were plainly perceptible throughout the city in the marked diminution of drunkenness and rowdyism; and for once the day seemed like a Christian Sabbath indeed. The happy change was particularly noticeable in the Fourth, Sixth and Seventeenth wards, in which it had been confidently predicted that the ordinances never could be enforced. That this opinion—which has long been entertained by people of the despairing sort—is a bugbear, was completely proved by the general compliance with the police mandate in those localities yesterday. The rowdies being excluded from the rallying places where it was their Sunday custom to fire up, and then issue forth for riot and crime, were compulsorily sober and peaceable. A few small retail dealers snapped their fingers at the police, and defied the law which they will have a chance to confront before the magistrates during the present week. The larger sellers cheerfully acquiesce in the justice and propriety of the ordinance, and, as their influence is on the side of right, there is no obstacle even in this loosely governed metropolis, in the way of a thorough breaking up of the Sunday liquor-selling business.

From THE EXPRESS, *June* 20.

* * * What has been said of the above-mentioned wards may be said of the rest. The city was more quiet than on any Sunday for many months. It was also seen that those most obedient to the law were the keepers of small places, the larger ones being kept wide open as a general thing. In the upper wards everything was unusually quiet, and fewer shops were open than down town. It is estimated that the decrease in the number of arrests throughout the city will be, compared with last Sunday, about 35 per cent., owing, as a matter of course, to the inability of "bummers" to get all the liquor they wanted. Even in those places kept open the bar-keepers were instructed not to sell to men already affected with liquor, and to this also may be attributed, aside from the closing of shops, the small amount of drunkenness that prevailed.

This excellent beginning is the direct result of the efforts of the Sabbath Committee. They have been unwearying in their exertions to procure an observance of the Sunday Laws, and, with Temperance men, to procure the punishment of those who violate the most stringent provisions of those laws. The successful litigation that has been carried on against the Sunday liquor-sellers, during the past week, has also had a very salutary effect; and should the Court of last resort sustain the action of the Court of Common Pleas—of which there can hardly be a doubt—the result will be the practical abolition of Sunday liquor-selling in this city. We trust that the gentlemen who so far have succeeded will persevere in their good work until the end. A long and patient continuance in well-doing cannot fail to bring its own reward.

From the same, June 16.

THE SUNDAY LIQUOR CASES.—Yesterday morning, the People having recovered twelve successive verdicts against the liquor dealers for violation of the Sunday Liquor law, Mr. JAMES M. SMITH, the liquor dealers' counsel, entered into a stipulation in open Court, that the ninety-nine cases remaining on the calendar untried should abide the ultimate event of the People *vs.* James C. Halpin, in which case, it will be recollected, a verdict was found by the jury last week for the penalty of $50 in favor of the People. The Court having approved of this disposition of the cases, it was assented to by Mr. WILCOXSON, in behalf of the District Attorney.

V.—The Germans and the Memorial.

From THE TIMES, *June* 1.

THE GERMANS AND THE SUNDAY LIQUOR TRAFFIC.—We observe with regret that the *Staats Zeitung* and one or two other German dailies seem disposed to mislead their readers as to the object sought by the memorialists on the Sunday Liquor Traffic. No new laws are demanded. No old and obsolete laws are dug up for enforcement. All that is asked of the Police Commissioners is, the firm and forbearing execution of laws and ordinances enacted under the Administration of Mayor WOOD, in 1855, and by the Legislature of 1857, and this after due notice served upon the offending parties.

It is no crusade of Temperance men against liquor-sellers, but a calm appeal from a large body of our most conservative citizens, justly alarmed at the increase of taxation, pauperism and crime, demonstrably connected with Sunday tippling, for protection against the lawless and demoralizing traffic on that day.

Nor is it a movement of American citizens to abridge the rights or to interfere with the comforts of citizens of foreign birth. The presentation of the memorial in English, by an influential delegation, with Mr. PERIT at its head, was accompanied by the presentation of a *German* memorial, numerously and respectably signed, by a German delegation, with Mr. MOLLER, a wealthy sugar-refiner, at its head. Thousands of our German fellow-citizens feel as deeply the dangers and the disgrace of the Sunday tippling habits of some of their emigrant countrymen, as any American can. We are assured on good authority, that it would be quite easy, if it were needful, to present thousands of German names, attesting their opposition to the immoral and destructive traffic which brings their national character into reproach. The law-abiding element is strong in the German character; and when it is known, as it must eventually be, that the Sunday lager-bier theatres and dancing saloons, and kindred places of temptation to crime and wrong-doing, are condemned alike by the laws of the State and the public sentiment of the City, the Germans themselves will be the foremost to sustain the authorities in restraining the selfishness and disorder of the few thousands among them who prey upon the substance and disgrace the name of our Teutonic fellow-citizens.

The organs of German opinion in New York will neither advance the interests nor strengthen the influence of the race which they represent by angry appeals to the unenlightened prejudices of their readers, against the deliberate drift of the best public sentiment of New York. With the German theories of Sunday observance in general we have nothing to do. We advance no Pharisaic and sweeping criticisms upon the customs which make the Sunday of the German so different a day from the Sunday of the Englishman or the American. Races may well differ upon this as upon so many other points of ritual worship or substantial theology. But it is perfectly compatible with the largest toleration that we should insist upon the observance by all classes of the community of statute laws which have been enacted by the delegated agents of the whole population. The minority which undertakes to brow-beat the officers of the law into suspending the discharge of their duty, and seeks practically to nullify the established order of municipal authority, is quite as justly chargeable with overbearing bigotry as the majority which sustains that order. A fanaticism of lager-bier is certainly not more respectable than a fanaticism of cold water; and if our German contemporaries really think themselves aggrieved by the Crusaders of Temperance, they can hardly ask us,

therefore, to acquiesce in their own contemptuous trampling under foot of the law of the land.

From The Express, *May* 31.

The German Press on Sunday Laws.—The "Demokrat" is talking about the "frogs," who presented to the Police Commissioners a memorial, praying them to enforce the Sunday laws; and it is very indignant that two German "frogs," Messers Moller and Fackiner, were among them. These "frogs," it says, come out at times like frogs, croaking about the desecration of the Sabbath. The Demokrat then quotes the memorial, and exclaims, "that it goes even beyond the real frogs!"

It contends that the people must have one day in the week, when they may relax and recruit themselves; and that it is all the fault of the "frogs" themselves, that on Sundays there is more crime committed and more drunkenness than on any other day of the week, because they cut off every opportunity for the people to enjoy themselves properly on Sundays. It says:

"They are all not such stockfish as to content themselves with the prayer-book. We have some summer gardens, summer theatres, &c., but not half enough. Our day steamboats and railroads ought to convey thousands to the suburbs, where music and dancing and gymnastic exercises, on the greens, under the trees, should be in order; and joy and life should reign supreme everywhere. Then, Messrs. water simpletons, put your noses in your Irish dram-shops, and you will find them empty."

This is the sort of slang used in answer to a memorial which said not one word against Sabbath recreations, visits to the suburbs, &c., which was mainly aimed at Sabbath drunkenness, Sabbath violations of law and Sabbath offences, which add nothing whatever to a man's moral, social, physical or personal comfort, but which, upon the other hand, commit nothing but injuries. We know very well that reformers may push things to extremes, but when they do not ask for these extremes, and do ask for only that which is right, the German Press ought to help and bless them, instead of maligning and denouncing their efforts for good.

From The Times, *June* 3.

Our Germanic Cotemporaries.

The literature of Lager-bierdom is all Dutch, happily or unhappily, to the great mass of New Yorkers. The *Demokrat* or the *Staats-Zeitung* may rail, or blaspheme, or talk treason by the column, and not one of a thousand of those to the manor born know a word about it. Thus, one of the most important elements of our population may be corrupted and misled on grave questions of moral or political concern, not only without the knowledge of the English-speaking population, but without any antidote—for there is not a single German journal that can be relied on to communicate fairly the views commonly cherished in this country on questions involving distinctive national characteristics,—not one that represents justly the opinions of the Americanized portion of the German population itself.

We have an illustration of the condition of matters in this respect in the course of the German press of New York on the "Sunday Liquor Memorial," presented by respectable American and German Delegations, last week, to the Board of Police Commissioners. Instead of treating a document of the most marked character for its prudence and forbearance—leaving the general Temperance question as well as the general Sunday question wholly out of view—with courtesy or decency, these organs of the Lager-bier interest resort to the most vulgar abuse of the memorialists, and to the grossest misrepresentations of the memorial. Appeals are made to the lowest passions and prejudices. An attempt is made to override law and custom dear to every American, and to inaugurate the manners and morals of a special class of European immigrants in their stead. According to the *Demokrat*, the 500 or 600 gentlemen who signed that memorial are "*bull-frogs*," who stick their heads out of the mire of their orthodox faith and croak into the world, "keep the Sabbath!" The act of presenting a respectful memorial for the execution of numerous laws recently enacted by the people of the State, but openly defied by a small class of refugees from the Old World—is styled a "frog-concert;" and gentlemen of position and worth are "*a Delegation of frog-heads!*"

The *Staats-Zeitung* seems to have a little more method in its madness, but is very mad nevertheless. It sees nothing in the movement but ultra-Temperance and ultra-Sabbath oppressions, which are to be manfully resisted! One would suppose, from its diatribe, that each of the thousand memorialists was a rampant reformer of the Garrison type, with a besom in his hand, as formidable as Luther's pen, which reached from Erfurt to Rome!

Our Teutonic neighbors should remember that all of their readers are not forced to gather all knowledge of city affairs from their columns. There are large numbers of respectable merchants, importers, and others, who read both German and English; who know the character of the abused memoralists, and of the memorial, and who also know that the German name suffers by the attempted identification of it with the ascertained causes of our city's predominant curses and crimes. They know that the once frugal and industrious German emigrants are preyed upon by interested countrymen, who beguile them of money, health and character, by their pot-houses and Sunday theatres, so that beggary and ruin are coming to be common among Germans, as they used not to be. And knowing these things, it will be in vain that editors lend their columns to the support of the law-breaking, pauper-making, crime-breeding traffic, even if it is associated with the lax, and, in many cases, vicious notions of Sunday observance cherished by a part of our continental immigrants.

We would also suggest to our German neighbors that something is due to the deep-rooted convictions and the time-honored laws of the land of their adoption. Emigrants from Europe knew, if they knew anything of America, that Sunday was here held in popular estimation as a day of rest and worship, and guarded as such by statutes in vogue from the foundation of our Government. They knew that the rollicking pastimes, and drunken carousals, and popular theatricals common to some parts of Europe, were unknown and unsuffered here. While no statute abridges the rights of conscience or prescribes any method of Sunday observance, numerous laws hedge around the poor man's—every man's *right* to undisturbed quiet one day in seven; and, in the interest of the laboring man, interpose needful restraints on the selfishness that would compel him to labor, or tempt him to dissipation. In this view, may we not claim that the Sunday laws, until repealed, shall be respected and enforced?

The old proverb, "When among Romans do as the Romans do,"—though capable of abuse and having its limitations, yet embodies a maxim of morals and manners. Suppose American residents in Berlin or Vienna should take it into their heads that a rollicking Fourth of July, with songs, and toasts, and rockets, was more jovial than Good Friday, with its stillness and gloom; or should prefer to substitute a weekly carnival of the sort for the frequent Fast or Saints' days of the calendar—would it be seemly and right to claim a place for such offensive or revolutionary plans? Would it be oppressive or discourteous should the *gens d'armes* say: "Gentlemen, you came from America with the knowledge of our laws and customs; you are free to enjoy their protection, or to return to your homes: but while you stay, you must forego even cherished national peculiarities offensive to our laws and dangerous to our institutions."

Whether right or wrong, Americans cling to Sunday, and will cling to it, and to all that is necessary to its vitality as a day of home, happiness, and devotion. And, in spite of the blunders of temperance reformers, they will cling with equal tenacity to the cardinal virtue of temperance rightly understood, so as to save the city and the nation from plunging into the besotting vice of drunkenness.

Translated from The New York Demokrat, *May* 30.

"The Lord's Day."—As bull-frogs from time to time stick their heads out of the mire, and by their melodious croaking fill the listening air and then again return to their watery and muddy element, so the Sabbath-holy ones now and then put forth their heads out of the mire of their orthodox faith, and croak into the world: "Keep the Sabbath!" "Break not the Lord's Day!" Such a frog-concert was had on Friday afternoon before the Police Commissioners, to whom, by a delegation of frogheads, was delivered a memorial, in which they protest most sacredly against the sale of intoxicating drinks on Sunday, and ask the enforcement of the Sunday laws.

The *Times* names among the delegates two Germans, though it is said there have been more with them. On Saturday we received a German petition to gather subscriptions for the above purpose. The following passage may serve as a characteristic of the same: * * * *

This beats the frogs!

However, ye lords of the Sabbath, hear a word in earnest! Why are the taverns crowded mostly on Sunday? Why is more crime committed on Sunday than on other days? Are not the same taverns and theatres open every day?

You yourselves are to blame, with your strict old Sunday laws. The workman is deprived of his day of recreation, which he needs after a week's toil. Not every body is so stockfish-like as to find recreation in the prattling of a black gown or in a pious prayer-book. The narrow workshop requires the contrast of open nature, and the necessity of work compels perfect freedom. Well, then, give this natural inclination a free course, and the Sunday will be a day of joy and not of vice.

To that freedom it will and must come yet in spite of the croaking of the watermen; every day shows progress in this respect—and all the harmonic music-making from the miry regions "is for the cat" (for nothing).

Though, in some places where influence of the preachers predominates, they should succeed to repress reason for a while, to dream such a thing of New York is ridiculous.

We have summer gardens and summer theatres, but not half enough. Steamboats and railroads must yet carry the thousands into the open air on Sunday; music and dancing must sound under green trees and whither we turn; everywhere we must meet pleasure and life and joy: and then, ye lord water-simpletons, you may stick your noses into the rum-pot houses which make your pious hearts tremble so much, and you will find them empty, but not before.

Translated from The New York Staats Zeitung, *May* 31.

Sunday Law Petitions.—Petitions demanding the strict observance of the 5th Section of the Metropolitan Police Act are now going around. One translated into German has come into our hands. We do not recommend signing it, and decidedly caution against it.

This fifth paragraph, it is known, speaks of the Sunday law. The petition has particular regard to the sale of intoxicating liquor,—it is *a temperance petition.* We do not intend to excite to disobedience of existing laws, neither is it in our mind to speak the word for a movement in favor of laws whose constitutionality we have always disputed.

We consider drunkenness, either publicly or privately indulged in, a vice; nor do we belong to those who think intoxication on the Sunday more justifiable than on a week day; but *we combat every thing done in the interest of the temperance principle as prejudices, hypocrisy, and political capital.* Whoever puts his name to the petition subscribes to all these prejudices, and as an immigrant takes the same position to the temperance fanatics, in which an adopted citizen stands who petitions for paragraph 12; for in the circular the immigrants are particularly mentioned as Sunday violators.

The error and arbitrariness which connect the European Sunday observance with the increase of crime and pauperism, have been sufficiently discussed by us. We give the same answer to the originators of the petition, based upon the Sunday manifestoes of several grand juries, which we gave to the argument of the grand jurors. At that time we proved by figures that the imprisonments on Sundays did not originate in an actual increase of immoral actions, but from the fact that the Metropolitan Police law created a new kind of unlawful deeds.

[Were not the "unlawful deeds" the same in '57 as in '58—the periods when the returns were made?]

To show the character of the petition, we will cite the following passage: "And we say that our free institutions cannot exist with it, as their preservation and prosperity depend upon the public acknowledgment of the ten commandments, and the fundamental doctrines of the New Testament."

But there are two points of the circular which seem to us unintelligible above all others. First, how such a pious document can prove the material fact that the revenues of the city are defrauded through the existence of unlicensed tippling

houses—as if the price of lost souls could be any blessing to the city treasury! and secondly, how good Christians can make the being in favor with God of their fellow-men dependent upon prohibitory laws and the physical impossibility of indulging in vice, and thereby deprive public morals of their true merit, which is voluntary abstinence.

From The Journal of Commerce, *June* 5.

German Notions.—"Yankee Notions" are proverbial. There are German notions as well. Some of them are good; some are indifferent; and others are positively bad When they assume a form of evil, they must be rebuked, as much for the advantage of those by whom they are fostered as for the public safety.

The ardent love of freedom which has ever characterized the Teutonic race commends them to American fellowship. The industry and frugality commonly existing amongst this class of people make them welcome accessions to our population. Under right influences, and especially when dispersed among our American population in reasonable numbers, so as to blend their stream of life with our own, they become our most valuable citizens, and deserve as they receive a high measure of regard.

But when congregated in masses, so as to retain the worst peculiarities and prejudices of their race—and these stimulated into intenser action by a skeptical press, by Red Republican orators smarting under the European reaction of '49, and by the drinking saloons and Sunday theatricals continually tempting them to beggary and ruin, they become quite another and an unsafe class—the more dangerous that they are secluded by difference of language from those moulding, elevating influences which act perpetually on an English-speaking population.

The Eastern portion of our city is rapidly becoming essentially German in character. The Eleventh and Seventeenth Wards, with some others, already contain more Germans than most of the cities of the fatherland. It is becoming more and more important that the *notions* prevailing among them should be understood, and their bearings on our customs and laws canvassed. We may find some lessons to be learned from them; they may need to be taught some important truths.

Our notions of Sunday are certainly at wide variance. With us it is a religious festival, sacred to rest and devotion. Ordinary business stands still. Ordinary pastimes are laid aside. We give one day in seven to physical repose and spiritual improvement; and our laws compel the employer to respect the universal right of the laboring classes to this boon of heaven. They go one step farther, and, still in the interest of the poor man, they forbid the Sunday publican from grasping the hard earnings of the week, and perverting the poor man's only rest-day into a curse to himself, to his family, and to the community. With Americo-Germans, Sunday is the time for material and sensuous enjoyment—for pic-nics; excursions by land and water; target-shooting; noisy music; dancing; theatrical amusements, all accompanied by the freest potations of Lager-bier, or something stronger, that the capacity of the stomach or the pocket will admit.

We will not pause to discuss the merits of these notions respectively. A single sentence from a German paper of last Saturday will show that we have stated the matter fairly. "We have summer gardens and summer theatres," says the Demokrat; "but not enough by far. Steamboats and railroads must yet carry thousands into the open air on Sunday; music and dancing must sound under green trees; and wheresover we turn, everywhere, we must have pleasure and life and joy; and then, ye lord Water-simples, [Memorialists] you may stick your noses into the rum-pot-houses, which make your pious hearts tremble so much, and you will find them empty; but not before."

We are not certain that the means of "emptying the rum-pot-houses" would not fill others as full; though they might be dispersed in the suburbs, and afford our neighbors along the Hudson and on the Bay a taste of one of our O-be-joyful city Sundays under German auspices. One thing we *know*, that of all the impure, ill-ventilated, health-destroying places in any land, a crowded lager-bier theatre in the Bowery or on Fourth street on a Sunday night, is the very climax. So that the pretext of escaping from "the prattling of a black-gown or a pious prayer-book," to "find recreation," is as bald a folly as to rush from Broadway to Cherry street in search of a clean street.

But, the merits of these notions apart, which is to prevail? Which, with its historical antecedents, ought to prevail? Certain it is that a century or two of experiment with our American Sunday has not weakened the attachment of our people to whatever is essential to its beneficent provisions. As to its physical, mental, moral, social influence, we have not discovered any radical cause for distrusting or discarding it. Our national life has thriven sufficiently to have attracted millions of people from the lands where "the pleasure, life and joy" of a weekly holiday have been had to the full. Nor are we aware that the people remaining in those lands find the pathway to freedom through "music and dancing sounding under green trees" particularly safe or certain, however full of "pleasure." We have some recollection of a passage in Hallam which alludes to the policy of Continental Despots to "*encourage a love of pastime and recreation in the people; both because it keeps them from speculating in religious and political matters*, and because it renders them more cheerful and less sensible to the evils of their condition." On the whole, then, it would seem that, under a free government, it is as safe, to say the least, to hold to the anchorage at which the only free nations in the world have ridden safely, and not yet to put to sea with lager for our cargo, Sunday for our sailing day, and perdition for our port.

From The Journal of Commerce, *June* 11.

More German Notions.—Our German contemporaries presume too far on the ignorance of the English tongue among Germans, and of the German tongue among Americans. The necessities of the press compel a *polyglott* staff in connection with our leading journals, and the necessities of business constrain thousands of our German fellow citizens to speak and read the English language. This is well, for otherwise the isolation of a large element of our population, and their subjection to the prejudices of journals little in sympathy with the interests and institutions of the country of their adoption, might be productive of great mischief to us and to them. The true interests of native and foreign-born are identical. There is abundant room for all. Our institutions are elastic enough and good enough to protect the rights and promote the well-being of all. They are the common enemies of all who seek to foment jealousies and prejudices fatal to mutual good understanding and confidence. We have more than once had occasion to rebuke native prejudices; now it seems necessary to remonstrate against like tendencies among the Germans.

The *Demokrat* and the *Staats Zeitung* seem determined not to understand the design of the memorialists on the Sunday liquor traffic, and continue to misrepresent the whole matter. With them "Temperance" is an abomination, and Sunday restraints are the offspring of superstition. Both, in their view, are bound up in this "croaking of bull-frogs," and hence they counsel opposition and resistance. With exclusively German readers, this dodge may be successful. But, just so far as the fact becomes known that the signers of that memorial, with scarcely an exception, are gentlemen as far from ultra-temperance affinities as they are from other ultraisms—that not one of them, so far as is known, entertains extreme views on the Sunday question—that they are men of all parties and creeds, intelligently alarmed as to the growth of pauperism, crime, and consequent taxation and misery, connected with Sunday tippling—the representations of these German papers must react, and all but the German keepers of Sunday theatres and saloons, and their unhappy victims, will come to repudiate the mistaken leadership that would commit them to the support of lawlessness and immorality. It ought to be a significant fact for the editors of these papers, that not one of our dozen daily journals printed in the English language has ventured to question the reasonable request of the memorial that the existing laws be published and enforced. Not even the *Herald*, cited by the *Demokrat* as "vigorously defending the right born with us," has disputed this ground. Whatever may be the delinquencies of our journalism, no paper and no party will hazard its reputation by an open commitment on the side of rebellion and crime—and there is no other side to take, as against the petition respecting Sunday liquor selling.

But our neighbor of the *Demokrat* thinks he caught us napping when we remarked last week that "a century or two of experiment with our American Sunday has not weakened the attachment of our people to whatever is essential to its beneficent provisions." As a specimen of the logic and taste of Americo-German journalism, we quote:

"How the editor can reconcile the Blue Laws, which make cooking, promenading, and kissing of wife and children on Sunday, a sin, and which 200 years ago were considered essential for sustaining the sanctity of the Sabbath, with the running of trains on the Railroads, even in Boston and Brooklyn, is a riddle to us. The Sunday laws of Cotton Mather & Co. have lost so much of their terror in the course of two centuries, that an illustrated copy of them might be profitably exhibited by Barnum for the amusement of the public. What is left of them will fall to the ground in America as soon as reason shall escape from the prison of faith."

The English of this sentiment we suppose to be, that when Atheism shall have supplanted the popular belief in the existence and supremacy of the Divine Being, and blind "reason" shall have superseded Revelation, lager-beerdom will have its own way, without human or divine laws to restrain the greed of its agents, or to protect the rights of its victims. We will not controvert that sentiment; we only ask "*When* will the long expected day begin?" And as to the historical question, a brief word, not for our readers, but for the editor of the *Demokrat*, and if he pleases for his readers. Strict as were the Puritan notions of the Sabbath—made so by a natural recoil from the latitudinarian views of the country they had left—the stereotyped caricature of them in the "Blue Laws" [which never existed, save in the imagination of wicked men,] ought not to find a place in a journal of our day, claiming common intelligence. It is very lame and vulgar wit that resorts to such devices, and much worse argument.

But, even if there had been provincial follies of legislation as to the Sabbath, they did not effect "whatever is essential to its beneficent provisions." The history of American legislation furnishes a consistent record here. The earliest and the latest laws of all our States—with one or two exceptions, where the French and Spanish element predominated—have recognized the necessity of a weekly day of rest for man and beast. They have made the first day of the week a *dies non* as to all ordinary labor and moneyed contracts. They have sought to secure a breathing time for the sons of toil, white or black, bond or free. They have said to capital, "you shall not compel seven days' work, but you shall pay enough for the six working days, to enable the laborer to have the seventh as a day of rest." And then they have said to rumsellers and lager-venders, "You shall not have a monopoly of trade, and practise your arts of temptation on the only day of rest the working man has; you shall not empty his week's earnings into your till, instead of the hungry mouths of his family." These things the laws have always been saying, with increasing emphasis; and are we now to be told that such laws are and always have been *unconstitutional?* Who says that? The toiling masses for whose benefit they were enacted? Or the men whose selfishness would rob the poor man of his rest and his money too?

These "essentially beneficent provisions" of our Sunday laws were never more popular in this country than now, in spite of the tide of immigration, and notwithstanding the mistakes both of Sunday reformers and Sunday haters. It is only when extreme claims are made, or are supposed to be made, as to coërcive Sunday observance, that our people revolt. But our laws make no such claims. They do not touch the question of *religious* obligation and observance; *that* is left, as it should be, to the individual conscience. They do protect the rights of those who wish to "remember the Sabbath day to keep it holy," and they forbid the interruption of public worship. But a man may drink himself drunk, or make a fool or a beast of himself in any other way on Sunday, if he will, and the laws do not forbid him; but they do forbid his disturbing the public peace, or interfering with the rights of his fellow men.

These statutes and the sentiments they embody, form as essential a part of our national life as the representative system, or the trial by jury; nay, they are more characteristic and fundamental, for they affect our moral as well as political foundations. Duponceau, the venerable helper from France in our Revolutionary struggle, after a long residence here, went so far as to say, "that of all we claimed as characteristic, our observance of the Sabbath is the only one truly national and American, and for this cause, if for no other, he trusted it would never lose its hold on our affections and patriotism." It never will. And if our counsel were of any avail among our German and other immigrant classes, it would be that they content themselves with the full and equal measure of freedom, civil and religious, under which this nation has prospered as no other on the globe can hope to do; and that

they forego those preferences and practices of the old world which have necessitated governments of force there, as they may here, if self-assertion, lawlessness and irreligion invade our wise and happy government of law.

VI.—Public Drinking Fountains.

From The Express, *May* 21.

Croton Fountains for the People.—The people are earnestly waiting for the next step towards the establishment of Croton Fountains by which pure water shall be as free as air to all. We hope that Alderman Peck and Councilman Ottarson, who took the initiative in bringing the matter before the Common Council, will not rest until the fountains have become an established fact, pouring out their crystal waters, so that every one that thirsteth may "Come and drink, without money and without price." The credit of the suggestion has been claimed by one of our morning contemporaries; but it belongs in fact to the Sabbath Committee, who, in their last tract on "the Sunday Liquor Traffic," published some months ago, used the following language:

"The establishment of public fountains, to which thirsty men may resort, would be a measure of great practical utility, at comparatively trifling cost. They need not be of marble or bronze, elaborately wrought, as in most European cities; the simplest arrangement by which the health-giving Croton could be easily reached by the poorest laboring man, would suffice. Formerly the street pump partially supplied this want; but now the artisan or laborer who would slake his thirst, can find almost no public place in the city to which he can resort with a feeling of right to a cup of cold water; and he is driven to a dram-shop, where a false notion of self-respect impels him to drink that which costs him something—and it often does cost him more than he had counted upon. As a preventive of drunkenness, and a means of removing temptation to evil haunts and habits, it is believed that this expedient would be found worthy of trial, to say nothing of its sanitary and humane aspects, which are far from inconsiderable."

Now that this sensible and humane proposition bids fair to assume a practical form, the gentlemen of the Sabbath Committee, individually and collectively, should bring their powerful influence to bear, for its success, on the Common Council. An active demonstration from that Committee, just now, might hasten the laggard action of the Circumlocution Office. Let there be no shuffling about the question. It is not one of a difficult nature, and should be decided at once. If we are to have the fountains, no time should be lost in putting them into operation; if we are not to have them, the people ought to know it, and know, also, who it is that denies the right of drawing pure water.

From The Herald, *May* 31.

Give Drink to the Thirsty.—We perceive that our suggestions about establishing public drinking fountains throughout the city have been taken up and advocated in different quarters, and that the President of the Croton Board sent a communication to the Common Council last evening on the subject. We are constantly receiving communications approving the idea. Even the religious newspapers are coming out in favor of hydrants or public fountains. We hope they will advocate our proposition, that a hydrant and drinking cup should be placed in the vicinity of all the churches, so that the spires and turrets thereof might serve as indices to the thirsty wayfarer, pointing to the spot where he can be nourished from the fountain of pure Croton, as well as the fountain of spiritual grace. This plan is being now carried out in London, and it strikes us as an excellent one. There is not a city in the world with so large a population as ours so wholly unprovided with the means

of enjoying a simple drink of water, notwithstanding that an ever-flowing stream of it, pure and cold, gurgles beneath our feet in every highway. But it flows unseen and untasted by the traveller who broils in the sun through our hot, dusty streets.

Independent of the value of public fountains to physical comfort and good health, as elements in the moral improvement of the masses, they should be encouraged by the clergy, by temperance reformers, philanthropists generally, and by the clergy especially; for they should remember what their Master promised to those who give a cup of water even to the least one.

It may be that for every fountain you open you will close a grogshop; and this is a consideration worth entertaining. The cost would be very trifling, and would be amply compensated by the good which would accrue from the establishment of such conveniences. Let us persevere, then, until we compel the authorities to give us public fountains such as other cities possess.

From The Times, *May* 18.[1]

Public Drinking Fountains.—We have already expressed a cordial approval of the proposition before the Common Council for the establishment of five hundred Croton Fountains. As a public necessity, there should be no hesitation or delay in building them. Nearly six months ago, in a condensed notice of a document on the "Sunday Liquor Traffic," this measure was suggested as one of the preventives of drunkenness; and, on turning to that document again, we find that the sagacious gentlemen of the "Sabbath Committee" have presented the argument for this improvement in a nut-shell.

From The Times, *June* 2.

"Drink and Away."—One of the most beautiful fountains in Barbary, on account of its frequent use and the lurking of assassins in its neighborhood, is called *Shrub we Krub*—Drink and away. In our highly-civilized city we have no *such* lurking-place for robbers. No Croton fountain tempts to drink or danger here. Superior refinement has compelled the thirsty to resort to the dram-shop, where fuel may be added to the flame, but where nature's provision for quenching thirst can only be made available by quenching manly self-respect too.

What shall the wayfarer in our streets do of a Sunday when even this *dernier resort* is lost, as it seems likely to be if the Police Commissioners do their duty, and shut up the illegal places of Sunday traffic? Croton drinking fountains, and a plenty of them, would seem to be the necessary complement of the suppression of Sunday dramming. And when the fountains of dissipation and crime are stayed, and gush-waters, which cheer but not inebriate, take their place in our streets, we may reverse the Barbary fountain motto, so that it shall be: *Krub we Shrub*—Away and Drink.

AN EXPERIMENT OF 50 DRINKING FOUNTAINS.

From The Times, *June* 25.

The report of the Special Committee in favor of directing the Croton Board to erect *fifty drinking hydrants* in different parts of the city, was adopted last evening; Councilman Bulteel ["Oyster Saloon"] alone voting in the negative.

From the same, July 7.

Drinking Hydrants.—The Board of Aldermen concurred with the Board of Councilmen in adopting the report of the Special Committee in favor of erecting *fifty hydrants* in various parts of the city.

A German's Appeal to the Germans

ON

THE SUNDAY QUESTION.

[An important Document of 24 pages, 8vo., has been issued by the New York Sabbath Committee, in the *German* language. It contains the "Memorial as to the Sunday Liquor Traffic," with the official data forming its basis; a Digest of the Sunday Liquor Laws; a translation of the Editorial articles in the leading New York Dailies—the *Journal of Commerce*, June 5th and 11th, *Express*, May 21, *The Times*, June 1, *Commercial and Enquirer*, May 31, etc., (see "Memorial Memoranda" pages 16-30:) and the Editorials of the *Staats Zeitung* and the *Demokrat* in opposition to the Memorial. As introductory to this matter, a kind and able discussion of the Sunday question, by a German writer of unusual power, is published, which may be hoped to dispel many prejudices and to conciliate the better disposed among our German fellow citizens toward American and Biblical views of the claims and uses of the Christian Sabbath. A translation of this appeal is here given, partly because of its intrinsic interest, and for the sake of informing those who do not read the German, of the mode adopted by the committee in dealing with an important class of our foreign born population. It is intended to give the widest possible circulation to this document among the Germans in this city and country, and in the father-land.]

The aim of the Memorial—signed by more than 400 Germans and 600 Americans, and presented to the Police Commissioners May 28—having been frequently misinterpreted, it seems desirable, on its republication, briefly to explain its design.

The Memorial does not aim at making men pious by compulsory measures. The Memorialists know quite well that such a kind of piety would be displeasing to God, and that all endeavors of the sort are even more repugnant to the spirit of Christianity than to the spirit of the age.

Nor does the Memorial intend to compel men *to do this or that* on Sunday. Whether one prefers to stay at home, or to go into the free air; to spend the day in solitude or at church, in conversation or in reading, is to be left with him, so far as civil laws are concerned.

Nor is it the intent of the Memorial to coërce the Germans to renounce their national sentiments and customs. The fact that several hundred Germans have

signed it—and many more signatures might have been obtained had more time been used—is sufficient guarantee of this.

Nor does the Memorial propose new legislation. It only aims at the enforcement of existing laws. To have a law remain a dead letter is in itself wrong and injurious, especially in a free land, where the laws are made by the people, and should therefore be obeyed by the people—the minority submitting to the majority.

The Memorial opposes the existence of monopolies and privileged classes of society. It goes for equal rights. In order that factory-laborers, clerks, apprentices, etc. may have a day of rest, the factory-owners, merchants, employers, etc. must be compelled—if this be compulsion to them—to close their factories, stores and shops on Sunday. If ten merchants out of a hundred were to keep open their stores on Sunday, one and another by the power of competition would be tempted to open their stores too. Therefore to secure a day of rest to the ninety, all Sunday traffic must be prohibited to the ten. Partial restrictions imposed on the rights of some men, in order to increase and guarantee the rights of all men, is a sound democratic principle. But how does it agree with this principle to have stores closed on Sunday, while liquor shops remain open? No cloth, coffee or tea must be sold, but you may sell as much whiskey, beer and wine as you please! The honest merchant may not make money on that day, but the rum-seller may! Is this right? Certainly not. In a free country, under a constitutional government, all men must be treated alike.

And what special claim have intoxicating liquors to be exempted from the prohibition of sales on Sunday? Do they promote domestic happiness, increase virtue, engender philanthropy, nourish patriotism? We have seen no proofs of it. But it is plain enough that many a father on Sunday converts the money which should buy bread for his children during the week into liquor; that many a son then consumes the means of supporting his parents, and many a husband returns home on Sunday night drunken, abusing his wife, or at least unfitted for his work and for a proper treatment of his family. As for the influence of intoxicating liquors on patriotism and love of freedom, we will only mention that Frederic Hecker, when he returned to this country in 1849, after the failure of the revolutionary movements in Germany, publicly ascribed that failure to the fact that the Germans had rather talked and *boasted of their prospective freedom over the beer-glass* than labored and acted for it.

Still, "Drinking on Sunday is a *German* custom, so we won't have it taken from us!" is the cry. It is a German vice [mis-custom] we answer. Boxing and horse-racing are *English* vices; carnival with its follies is an *Italian* vice; bull-baiting is a *Spanish* vice: but what sensible Englishman, Italian or Spaniard would undertake publicly to stand up for these vices, to which *a portion* of his countrymen is addicted? Still less would he dare to undertake the introduction of them into another country. The same rule applies to German Sunday amusements, to which in many [*not in all*] places in Germany a large proportion of the inhabitants are given; but *under constant protest of our best men*, and *constant attempts at restraint by laws*—the latter being found rather in the partially free States of Germany than in the others.

The opponents of the Memorial are talking and behaving as though Sabbath

legislation proceeded only from "Puritanism." But we need only to appeal to the better knowledge of the well-informed among them. We ask, for instance, of the editor of the *Staats Zeitung*, Do you not know well enough, from German history, that at different times, and in different parts of Germany, stringent laws against drinking and dancing on Sunday have been enacted: not by the more despotic princes, but rather by those who really cared for the welfare of their people? True, in modern times, Sabbath legislation in Germany has become more lax, but this has been owing to the influx of infidelity, which, coming from France, overthrew both the former observance of the Sabbath, and the ancient honesty and fidelity of the German nation.

But, supposing Sabbath laws to be something specifically American, even then there would be just cause to ask: Is it well for the Germans of this country to oppose an institution which has existed here from the first beginning of European settlements on this continent, and has since then taken such deep root in the whole social and political life of this nation? Would this not be an abuse of the hospitable welcome and reception which this country extended to us? Would it not provoke the ill-will and suspicion of the English-speaking, native-born citizens? On questions respecting which *one party of Americans* stands against the other, we may decide for either of them; but in a question concerning which *nearly the whole American people stand together as one man*, to oppose them *as a German party*, will certainly not prove the means of promoting kind relations between foreign and native-born citizens. It would, to say the least, be quite hazardous to undertake such a thing, and to be justified in the undertaking, we should be manifestly in the right. But such is not the case, neither in a political nor in a moral point of view, as we will now show.

CIVIL ASPECTS OF THE QUESTION.

In the days of the first Dutch colony of "New Amsterdam," as early as 1647–8, Peter Stuyvesant, Director-General, issued proclamations and decrees against the invasion of "the Lord's Day of rest." One of the earliest acts of the "General Assembly of the [English] colony of New York," in 1695, was one entitled, "An Act against the Prophanation of the Lord's Day, called Sunday." In 1813 the Legislature of this State passed laws protecting the Sabbath, based on the colonial act of 1695; and they remain in the Revised Statutes. The Metropolitan Police Act prohibits the sale of any intoxicating liquors on Sunday, under a penalty of $50. These are State laws. During forty years, from 1797 to 1834, concurrent *municipal* ordinances were enacted, of a stringent character. They were revised and reënacted in 1803, '5, '7, '12, '17, '21, '23, and '27.

It is clear, from the above, that the fifth section of the Metropolitan Police Act, which is so much hated by our opponents, contains nothing new, but only old regulations. That these regulations are supported by the public opinion and general custom of the American people, shall be proved by two facts. One is, that the Constitution of the United States demands that the President shall be inaugurated on the 4th of March; but it is understood that when the 4th of March falls upon Sunday, the inauguration takes place on the 5th of March. The other fact is, that our great national holiday, the anniversary of the Declaration of Independence, in case July 4th falls on Sunday, is kept on the 5th. Thus, both the law and the custom of our country treat Sunday as a day set apart for

religious purposes, but not as a day for national or other festivals and pleasures. We adopted citizens ought, therefore, even if Sunday pleasures were not morally wrong, to avoid them, because they are, in this country, unlawful, and from considerations due to our fellow-citizens.

MORAL ASPECTS OF THE QUESTION.

We will now inquire, from a moral stand point, whether Sunday pleasures are right and allowable. And we would first ask our opponents, Can you deny that Christianity has favored civilization wherever it has penetrated? Can you name any civilized nation which is not a Christian nation? And we ask further, Is not the Bible read—which is the foundation of Christianity—in all countries in which a free government exists and prospers? Or can you name countries which are free without the Bible? From all we know, notwithstanding all the deficiencies found among us, things are "golden" among us compared to our neighboring sister republic Mexico, with her endless civil wars and anarchy. What is the cause of this great difference? The people of the United States have the Bible—the people of Mexico have it not. If we look at Europe, we see England, Scotland, the Netherlands, Switzerland, Prussia, and Norway, comparatively free and prosperous; but Russia, Austria, and Spain, are oppressed and unhappy. And why? In the first named countries the Bible is read, while in the last named it is not.

Law and morals must always go hand in hand. The best laws are of no use where the morals are bad. But how can men agree on morals if the Ten Commandments are not taken as their foundation? Were we to take our morals from Lycurgus and Solon, from Numa and Cicero, from Confucius and Mohammed, or from Voltaire and Rousseau, from Fichte and Hegel,—into what confusion should we get. No agreement can be expected. But the Ten Commandments are so generally acknowledged,—are considered pure, true, and obligatory, by so great a majority,—that we have in them a firm centre of agreement. Now, one of the Ten Commandments says: "Remember the Sabbath day to keep it holy. Six days thou shalt labor, and do all thy work, but the seventh is the Sabbath of the Lord thy God: in it thou shalt do no work," &c. If we lay aside this one commandment, all the others go with it; and where are we then?

Again: Where but in the moral law of Christ and his apostles do we find so beautiful and clear an exposition of the spirit and sense in which we are to fulfil our moral duties? "As ye would that men should do to you, do ye also to them, likewise." "Be not overcome of evil, but overcome evil with good." "Avenge not yourselves." "Give to every one his due." If such sayings are no longer publicly acknowledged, what is to become of the world? If Christianity, with its command of love to the neighbor, is set aside in any land, a total disorganization of all relations, a civil war, must follow. The first French Revolution, with its Reign of Terror, furnishes an example. Men are bad enough with their belief in the Bible; if they are deprived of this belief they become totally bad. This is the dry but fitting saying of Franklin, with which he answered Tom Paine when he sent him his "Age of Reason."

Without Christianity, we repeat it, no popular freedom can consist. Now, Christianity, although it is something spiritual, by several forms and regulations

peculiar to itself, is interwoven with civil life. Among these regulations the Christian Sabbath, the day of the Lord, the day on which Christ, the founder of the Christian religion, rose from the dead and from the grave, stands foremost. What did the ancient Romans and Greeks, what do the Hindoos and Chinese know of a Sunday? They know nothing of it. And we, too, should know nothing of it had not Christianity come to us from our fathers, and with it the news of the resurrection of Christ through its weekly returning memorial day. The Sunday is therefore a Christian Institution, and it is hence a moral wrong to employ this Institution contrary to its spirit, for strange and unchristian objects. Suppose a company of trifling boys were to make one of their number pronounce the words of the Institution of the Lord's Supper at one of their carousals, and then take a drink and say, "We have now celebrated the Lord's Supper," would not the feeling of every upright man, no matter what his religious views are, be outraged? Would we not say to them, "Carouse, if you are determined to carouse, but let the Christian celebration of the Lord's Supper alone!" And as the Lord's Supper is the memorial of the Sacrificial death of Christ, and is to be celebrated as such only, or not at all, as every sensible man allows; so Sunday is the memorial day of the resurrection of Jesus Christ, and is to be celebrated by all in a serious and quiet manner, although by each one according to his own particular religious conviction. Whoever desires pleasure and amusement may select any one of the other six days, but let him celebrate the Sunday in a Christian manner, for the object for which it is instituted.

American history shows plainly that the founders of the first European Colony in this country came for the sole purpose of worshipping GOD according to the dictates of their conscience. Their numerous descendants, therefore, will not permit themselves to be deprived of this great privilege, neither by fanatical persecutors nor by infidel traitors. Among us Germans, also, many have come here because they knew that here religion and the worship of GOD are not only tolerated by the State, but publicly acknowledged and legally protected. There are also those among us who formerly did not value this, but since their sojourn in this country have learnt to value it. Both these classes of Germans are unwilling to forego the right of a free, public and undisturbed worship of GOD. It is in their own interest, in that of their children, in that of their German countrymen, and in the interest of the whole people, that they unite with their fellow-citizens in removing the desecration of the Sabbath and the disturbance of the worship of GOD by public amusements. Our opponents may well look at what they are doing. Should they succeed in defeating our object, it would, in our opinion, be the greatest injury to themselves. But whoever is not of this opinion, let him at least consider and understand that the right is on the side of those who desire a quiet Sabbath, on which business as well as amusement is to be at rest; and that the laws of our land are not made for promoting infidelity and dissipation, already sufficiently rank everywhere, but for promoting morality and religion.

IMPORTANT RESOLUTIONS OF THE POLICE COMMISSIONERS.

At the regular meeting of the Police Board, July 8, Mr. Stillman presiding, and all the members of the Board present, Judge Ulshoeffer, on behalf of the

Committee on Laws and Ordinances, submitted the following report, which was unanimously adopted :

"The Committee on Laws and Ordinances having considered the petitions for, and remonstrances against, the enforcement of the existing laws relative to the observance of Sunday, respectfully offer the following resolutions :

1. This Board is bound by its organization to enforce the laws as they exist ; it being a well-settled principle that the administrative departments cannot excuse enforcing a law, on the ground of doubts as to its conflicting with the spirit of the Constitution.

2. The Christian religion is that which has always existed since the settlement of the country, and now exists in these United States ; recognized and professed by the masses of the people of various religious denominations, and nearly all of which regard the Christian Sabbath as part of their religion.

3. That the highest judicial authorities regard the Christian religion as the prevailing religion of the country, and that the protection of the rights of all other religions must still leave the principles, practices, and laws of the whole Christian community paramount, and in full force.

4. That the true principles of religious liberty do not allow the smallest portions of the community to call upon the great masses of the people to abandon the enforcement of those Sunday laws, which have existed since the settlement of the country.

5. That present abuses in disregarding the Sunday laws, particularly in public exhibitions on Sundays, and trafficking in liquors and other like things, should, as far as the law allows, be prevented by the whole power of the police force and of the magistracy.

6. That the laws of the land, in conformity with the opinion of the masses of the people, in regard to moral principles and practices, and for the punishment of transgressors *any day of the week*, are not to be disregarded or repealed, because of peculiar notions of morals entertained by small portions of the community."

THE "REMONSTRANCE" AND "COUNTER-MEMORIAL."

From the JOURNAL OF COMMERCE, *July* 9.

ATTEMPT TO "SELL" THE POLICE BOARD.—A great parade was made last week by the Sunday Liquor party, who bored the Police Commissioners an hour or so with their "Remonstrance" and "Counter-Memorial," ostensibly "signed by about five hundred citizens,"—a German copy being ,, signed by nearly a thousand citizens of German birth." In both cases the remonstrants claim to be "voters." The special object of the demonstration was to prevent the police authorities from closing the Sunday dram shops.

Unfortunately for the credit of the Remonstrance, the signers appended their places of abode in common with their names—making it an easy matter to classify the list, and to expose its bogus character. This being carefully done, the following results are reached :

Number of names claimed for the Sunday Remonstrance in English.....	500
Actual number.....	446
Error.....	54
Number of names claimed for the Sunday Remonstrance in German.....1,000	
Actual number.....	742
Error.....	258

Classification of the 446 *Remonstrants*—ENGLISH.

Non-Residents	118
Liquor-Dealers, Segar-Sellers, Sunday Newspaper Editors, and other interested parties	38
Not to be found in the Directory	241
"Clerks," "Shoes," "Physicians," &c.	49
Total	446

Classification of the first 500 *Remonstrants*—GERMAN.

Non Residents	104
Lager and Liquor Dealers	36
Not to be found in the Directory	180
All others	180
Total examined	500

Thus it appears that an abatement of *more than three-fourths* must be made from this list of about a thousand names, to bring it within the range of decency or propriety, as a matter of official consideration. What consideration should be given to the remaining fourth might be determined by continuing the investigation.

From the TRIBUNE, *July* 4.

We have elsewhere noticed the fact that the Rev. J. L. Hatch, and a number of other gentlemen equally gifted with himself, yesterday waited on the Police Commissioners and delivered a long and elaborate address, beseeching the Commissioners not to enforce the Sunday laws, and especially the law against the sale of liquor on Sunday. To say the Rev. J. L. Hatch and his associates are all fools, is more than we dare do; but they certainly talked like egregious fools yesterday. The Police Commissioners have no choice between enforcing the law and not enforcing it. They are not legislators, but simply executive officers. Whether the laws are good or bad, is not a question for their consideration. Their duty is simply to have them observed and obeyed; and all the rest belongs to the Legislature and the Courts.

It is not an argument to say that certain laws have not been regarded hitherto, and that the Police ought therefore to connive at the breaking of them henceforth forever. Indeed, it seems to us rather an insult to the Commissioners than otherwise; and Mr. Hatch and his fellow-laborers in the cause of free liquor on Sundays might without impropriety have been kicked out of doors accordingly.

A SABBATH AGAIN.

From THE EXPRESS, *July* 4.

It is estimated that for the last three Sundays or so only about one-tenth of the liquor-dealers have kept open—something very remarkable for this city. Of these violators of the law, the majority have only kept private entrances open for the accommodation of their customers. Taken together, these few Sundays past have been the most orderly known in New York for a very long time indeed.

From THE HERALD, *July* 4.

Of the upper wards of the city, commencing with the Fifteenth, about the same reports are to be made as in the precincts above. Each Sunday since the giving out of the police order has shown marked improvement. Citizens have enjoyed more quiet Sabbaths, and the police magistrates have had but little to do. At the Tombs yesterday, where the commitments on Sunday for drunkenness are usually sixty and seventy, but five were committed for being drunk. At the other police courts the falling off in the number of Sunday commitments for the same offence was about in the same proportion.

From THE TIMES, *July* 11.

THE OBSERVANCE OF THE SABBATH LAWS.—Since the Police Commissioners adopted resolutions, on Friday, which admitted their power and intimated their intention of enforcing the Sunday laws, naturally enough an impression became general that decisive and peremptory orders would be issued to the Police henceforth to assert the law's supremacy. And this opinion prevailed to such an extent even, that the hitherto obstreperous saloon-keepers, who, in spite of repeated notifications, have

insisted in selling on the Sabbath in defiance of law, became generally alarmed at the anticipated demonstration, and many voluntarily closed their places yesterday, believing that otherwise they would be forced to close. Contrary to general anticipation, however, no new orders were issued. Throughout the city, even in those portions where hitherto liquor has flowed freely, scarcely a drop could be had for "love or money," and when it was obtained it was only dispensed to those in whom the vendor felt he could place confidence. *The effect of the closed stores, of course, was another quiet Sabbath, which, contrasted with those of four weeks ago, at once shows the good result of even the partial attempt of stopping the sale of liquor.* Nowhere was the effect more marked than at the various Police Courts, where heretofore the Sunday committals for drunkenness have numbered as high as from 20 to 30 in each court, while yesterday they scarcely exceeded a dozen throughout the city. General-Superintendent PILSBURY, accompanied by Deputy CARPENTER, visited a large portion of the city, including Yorkville, Harlem and Bloomingdale, yesterday, in a carriage, to notice how the Sunday laws were observed; and it is understood he will familiarize himself with what is done, and how far the laws are transgressed, before he takes any effective action.

From THE HERALD, *July* 10.

* * * "In the Sixth Ward only two men were arrested for drunkenness, a fact unparalleled since to this Ward was applied the prefix "bloody." In the Seventh, Eighth, Ninth, Tenth, Eleventh, and Thirteenth Wards, but few places aside from the lager beer saloons were open. * * A marked change over any previous Sunday was evident in the Seventeenth and Eighteenth Wards. Here scarcely a liquor shop was open, and where half a dozen fights are usually reported on Sunday not one occurred yesterday. In all the upper Wards of the City the observance was very general. The majority of the liquor stores were completely closed. But few arrests were made for drunkenness."

☞ A circular has been issued by the managers of the "Liquor Dealers' Association" to *more than four thousand members*, advising them to close their shops on Sunday, without resistance.

☞ The lager beer dealers and brewers met on Friday evening, July 8th, to denounce the Liquor Dealers' Association, with which they had "become disgusted, because they would only protect the 'rum-sellers,' and had no regard for the lager beer interest," and to form "an Association of Lager Beer Dealers."

☞ The Excise Commissioners have requested the General Superintendent of Police to report to them all lager beer saloons at which spirituous liquors are sold. "An eminent physician of this city had informed Mr. Commissioner Holmes that he had recently attended a man in the upper part of the city, who had drank nothing but lager beer, and was severely affected with *delirium tremens*. He said the man had it so badly that the physicians never before saw a man recover who was so severely affected. Mr. Holmes believed that lager beer was a spirituous liquor, and he was convinced that it was used as a mere cover for the selling other and more deleterious liquors without licenses.'—*Com. and Enq.*, July 7.

☞ **Office of New York Sabbath Committee, No. 21 Bible House.** ☜

☞ **Treasurer's Office, (J. M. Morrison, Treasurer,) Manhattan Bank.**